



General Assembly

January Session, 2013

Governor's Bill No. 6354

LCO No. 3063



Referred to Committee on APPROPRIATIONS

Introduced by:

REP. SHARKEY, 88th Dist.

REP. ARESIMOWICZ, 30th Dist.

SEN. WILLIAMS, 29th Dist.

SEN. LOONEY, 11th Dist.

***AN ACT IMPLEMENTING THE GOVERNOR'S BUDGET
RECOMMENDATIONS CONCERNING GENERAL GOVERNMENT.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 38a-1080 of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective from passage*):

3 For purposes of sections 38a-1080 to 38a-1090, inclusive, as amended
4 by this act, and section 9 of this act:

5 (1) "Board" means the board of directors of the Connecticut Health
6 Insurance Exchange;

7 (2) "Commissioner" means the Insurance Commissioner;

8 (3) "Exchange" means the Connecticut Health Insurance Exchange
9 established pursuant to section 38a-1081, as amended by this act;

10 (4) "Affordable Care Act" means the Patient Protection and

11 Affordable Care Act, P.L. 111-148, as amended by the Health Care and
12 Education Reconciliation Act, P.L. 111-152, as both may be amended
13 from time to time, and regulations adopted thereunder;

14 (5) (A) "Health benefit plan" means an insurance policy or contract
15 offered, delivered, issued for delivery, renewed, amended or
16 continued in the state by a health carrier to provide, deliver, pay for or
17 reimburse any of the costs of health care services.

18 (B) "Health benefit plan" does not include:

19 (i) Coverage of the type specified in subdivisions (5), (6), (7), (8), (9),
20 (14), (15) and (16) of section 38a-469 or any combination thereof;

21 (ii) Coverage issued as a supplement to liability insurance;

22 (iii) Liability insurance, including general liability insurance and
23 automobile liability insurance;

24 (iv) Workers' compensation insurance;

25 (v) Automobile medical payment insurance;

26 (vi) Credit insurance;

27 (vii) Coverage for on-site medical clinics; or

28 (viii) Other similar insurance coverage specified in regulations
29 issued pursuant to the Health Insurance Portability and Accountability
30 Act of 1996, P.L. 104-191, as amended from time to time, under which
31 benefits for health care services are secondary or incidental to other
32 insurance benefits.

33 (C) "Health benefit plan" does not include the following benefits if
34 they are provided under a separate insurance policy, certificate or
35 contract or are otherwise not an integral part of the plan:

36 (i) Limited scope dental or vision benefits;

37 (ii) Benefits for long-term care, nursing home care, home health
38 care, community-based care or any combination thereof; or

39 (iii) Other similar, limited benefits specified in regulations issued
40 pursuant to the Health Insurance Portability and Accountability Act of
41 1996, P.L. 104-191, as amended from time to time;

42 (iv) Other supplemental coverage, similar to coverage of the type
43 specified in subdivisions (9) and (14) of section 38a-469, provided
44 under a group health plan.

45 (D) "Health benefit plan" does not include coverage of the type
46 specified in subdivisions (3) and (13) of section 38a-469 or other fixed
47 indemnity insurance if (i) such coverage is provided under a separate
48 insurance policy, certificate or contract, (ii) there is no coordination
49 between the provision of the benefits and any exclusion of benefits
50 under any group health plan maintained by the same plan sponsor,
51 and (iii) the benefits are paid with respect to an event without regard
52 to whether benefits were also provided under any group health plan
53 maintained by the same plan sponsor;

54 (6) "Health care services" has the same meaning as provided in
55 section 38a-478;

56 (7) "Health carrier" means an insurance company, fraternal benefit
57 society, hospital service corporation, medical service corporation
58 health care center or other entity subject to the insurance laws and
59 regulations of the state or the jurisdiction of the commissioner that
60 contracts or offers to contract to provide, deliver, pay for or reimburse
61 any of the costs of health care services;

62 (8) "Internal Revenue Code" means the Internal Revenue Code of
63 1986, or any subsequent corresponding internal revenue code of the
64 United States, as amended from time to time;

65 (9) "Person" has the same meaning as provided in section 38a-1;

66 (10) "Qualified dental plan" means a limited scope dental plan that
67 has been certified in accordance with subsection (e) of section 38a-1086;

68 (11) "Qualified employer" has the same meaning as provided in
69 Section 1312 of the Affordable Care Act;

70 (12) "Qualified health plan" means a health benefit plan that has in
71 effect a certification that the plan meets the criteria for certification
72 described in Section 1311(c) of the Affordable Care Act and section
73 38a-1086;

74 (13) "Qualified individual" has the same meaning as provided in
75 Section 1312 of the Affordable Care Act;

76 (14) "Secretary" means the Secretary of the United States
77 Department of Health and Human Services;

78 (15) "Small employer" has the same meaning as provided in section
79 38a-564.

80 Sec. 2. Section 38a-1081 of the general statutes is repealed and the
81 following is substituted in lieu thereof (*Effective from passage*):

82 (a) There is hereby created as a body politic and corporate,
83 constituting a public instrumentality and political subdivision of the
84 state created for the performance of an essential public and
85 governmental function, to be known as the Connecticut Health
86 Insurance Exchange. The Connecticut Health Insurance Exchange shall
87 not be construed to be a department, institution or agency of the state.
88 The exchange shall serve both qualified individuals and qualified
89 employers.

90 (b) (1) (A) The powers of the exchange shall be vested in and
91 exercised by a board of directors, which, until the effective date of this
92 section, shall consist of twelve voting members. The appointment of
93 the initial board members shall be as follows:

94 [(A)] (i) The Governor shall appoint two board members, one of
95 whom shall have expertise in the area of individual health insurance
96 coverage and shall serve for a term of three years and one of whom
97 shall have expertise in issues relating to small employer health
98 insurance coverage and shall serve for a term of two years;

99 [(B)] (ii) The president pro tempore of the Senate shall appoint one
100 board member who shall have expertise in the area of health care
101 finance and shall serve for a term of four years;

102 [(C)] (iii) The speaker of the House of Representatives shall appoint
103 one board member who shall have expertise in the area of health care
104 benefits plan administration and shall serve for a term of four years;

105 [(D)] (iv) The majority leader of the Senate shall appoint one board
106 member who shall have expertise in the health care delivery systems
107 and shall serve for a term of two years;

108 [(E)] (v) The majority leader of the House of Representatives shall
109 appoint one board member who shall have expertise in the area of
110 health care economics and shall serve for a term of two years;

111 [(F)] (vi) The minority leader of the Senate shall appoint one board
112 member who shall have expertise in health care access issues faced by
113 self-employed individuals and shall serve for a term of three years;

114 [(G)] (vii) The minority leader of the House of Representatives shall
115 appoint one board member who shall have expertise concerning
116 barriers to individual health care coverage and shall serve for a term of
117 two years;

118 [(H)] (viii) The Commissioner of Social Services, the Special Advisor
119 to the Governor on Healthcare Reform, the Secretary of the Office of
120 Policy and Management and the Healthcare Advocate, or their
121 designees, who shall serve as ex-officio voting board members; and

122 [(I)] (ix) The Insurance Commissioner and the [Commissioner]

123 Commissioners of Public Health and Mental Health and Addiction
124 Services, or their designees, who shall serve as ex-officio nonvoting
125 board members.

126 (B) On and after the effective date of this section, the board of
127 directors shall consist of eleven voting members as follows: (i) The
128 board members appointed pursuant to subparagraphs (A)(i) to
129 (A)(vii), inclusive, of this subdivision, and (ii) the Commissioner of
130 Social Services, the Secretary of the Office of Policy and Management
131 and the Healthcare Advocate, or their designees, who shall serve as ex-
132 officio voting board members. The provisions of this subparagraph
133 shall not affect the terms of the board members set forth in
134 subparagraphs (A)(i) to (A)(vii), inclusive, of this subdivision.

135 (2) (A) No board member shall be employed by, a consultant to, a
136 member of the board of directors of, affiliated with or otherwise a
137 representative of (i) an insurer, (ii) an insurance producer or broker,
138 (iii) a health care provider, or (iv) a health care facility or health or
139 medical clinic while serving on the board of the exchange. For
140 purposes of this subdivision, "health care provider" means any person
141 that is licensed in this state, or operates or owns a facility or institution
142 in this state, to provide health care or health care professional services
143 in this state, or an officer, employee or agent thereof acting in the
144 course and scope of such officer's, employee's or agent's employment.

145 (B) No board member shall be a member of, a member of the board
146 of, a consultant to or an employee of a trade association of (i) insurers,
147 (ii) insurance producers or brokers, (iii) health care providers, or (iv)
148 health care facilities or health or medical clinics while serving on the
149 board of the exchange.

150 (C) No board member shall be a health care provider unless such
151 member receives no compensation for rendering services as a health
152 care provider and does not have an ownership interest in a
153 professional health care practice.

154 (c) (1) All initial appointments shall be made not later than July 1,
155 2011. Following the expiration of such initial terms, subsequent board
156 member terms shall be for four years. Any vacancy shall be filled by
157 the appointing authority for the balance of the unexpired term. If an
158 appointing authority fails to make an initial appointment, or an
159 appointment to fill a vacancy within ninety days of the date of such
160 vacancy, the appointed board members may make such appointment
161 by a majority vote. Any board member previously appointed to the
162 board or appointed to fill a vacancy may be reappointed in accordance
163 with this section. Any board member may be removed for misfeasance,
164 malfeasance or wilful neglect of duty at the sole direction of the
165 appointing authority.

166 (2) As a condition of qualifying as a member of the board of
167 directors, each appointee shall, before entering upon such member's
168 duties, take and subscribe the oath or affirmation required under
169 section 1 of article eleventh of the Constitution of the state. A record of
170 each such oath shall be filed in the office of the Secretary of the State.

171 (3) Appointed board members may not designate a representative to
172 perform in their absence their respective duties under sections 38a-
173 1080 to 38a-1090, inclusive, as amended by this act, and section 9 of
174 this act. The Governor shall select a chairperson from among the board
175 members and the board members shall annually elect a vice-
176 chairperson. [The chairperson shall schedule the first meeting of the
177 board, which shall be held not later than August 1, 2011.] Meetings of
178 the board of directors shall be held at such times as shall be specified
179 in the bylaws adopted by the board and at such other time or times as
180 the chairperson deems necessary. Any board member who fails to
181 attend more than fifty per cent of all meetings held during any
182 calendar year shall be deemed to have resigned from the board.

183 (4) [Seven] Six board members shall constitute a quorum for the
184 transaction of any business or the exercise of any power of the
185 exchange. For the transaction of any business or the exercise of any

186 power of the exchange, the exchange may act by a majority of the
187 board members present at any meeting at which a quorum is in
188 attendance. No vacancy in the membership of the board of directors
189 shall impair the right of such board members to exercise all the rights
190 and perform all the duties of the board. Except as otherwise provided,
191 any action taken by the board under the provisions of sections 38a-
192 1080 to 38a-1090, inclusive, as amended by this act, and section 9 of
193 this act may be authorized by resolution approved by a majority of the
194 board members present at any regular or special meeting, which
195 resolution shall take effect immediately unless otherwise provided in
196 the resolution.

197 (5) Board members shall receive no compensation for their services
198 but shall receive actual and necessary expenses incurred in the
199 performance of their official duties.

200 (6) Subject to the provisions of subdivision (2) of subsection (b) of
201 this section, board members may engage in private employment or in a
202 profession or business, subject to any applicable laws, rules and
203 regulations of the state or federal government regarding official ethics
204 or conflicts of interest.

205 (7) Notwithstanding any provision of the general statutes, it shall
206 not constitute a conflict of interest for a trustee, director, partner or
207 officer of any person, firm or corporation, or any individual having a
208 financial interest in a person, firm or corporation, to serve as a board
209 member of the exchange, provided such trustee, director, partner,
210 officer or individual shall abstain from deliberation, action or vote by
211 the exchange in specific request to such person, firm or corporation.

212 (8) Each board member shall execute a surety bond in the penal sum
213 of fifty thousand dollars, or, in lieu thereof, the chairperson of the
214 board shall execute a blanket position bond covering each board
215 member, the chief executive officer and the employees of the exchange,
216 each surety bond to be conditioned upon the faithful performance of

217 the duties of the office or offices covered, to be executed by a surety
218 company authorized to transact business in this state as surety and to
219 be approved by the Attorney General and filed in the office of the
220 Secretary of the State. The cost of each such bond shall be paid by the
221 exchange.

222 (9) No board member of the exchange shall, for one year after the
223 end of such member's service on the board, accept employment with
224 any health carrier that offers a qualified health benefit plan through
225 the exchange.

226 (d) (1) With respect to the initial appointment of a chief executive
227 officer of the exchange, the board of directors shall nominate three
228 candidates to the Governor, who shall make a selection from such
229 nominations. After such initial appointment, the board shall select and
230 appoint subsequent chief executive officers.

231 (2) The chief executive officer shall be responsible for administering
232 the exchange's programs and activities in accordance with the policies
233 and objectives established by the board. The chief executive officer (A)
234 may employ such other employees as shall be designated by the board
235 of directors, and (B) shall attend all meetings of the board, keep a
236 record of all proceedings and maintain and be custodian of all records,
237 books, documents and papers filed with or compiled by the exchange.

238 (e) (1) (A) No employee of the exchange shall be employed by, a
239 consultant to, a member of the board of directors of, affiliated with or
240 otherwise a representative of (i) an insurer, (ii) an insurance producer
241 or broker, (iii) a health care provider, or (iv) a health care facility or
242 health or medical clinic while serving on the staff of the exchange. For
243 purposes of this subdivision, "health care provider" means any person
244 that is licensed in this state, or operates or owns a facility or institution
245 in this state, to provide health care or health care professional services
246 in this state, or an officer, employee or agent thereof acting in the
247 course and scope of such officer's, employee's or agent's employment.

248 (B) No employee of the exchange shall be a member of, a member of
249 the board of, a consultant to or an employee of a trade association of (i)
250 insurers, (ii) insurance producers or brokers, (iii) health care providers,
251 or (iv) health care facilities or health or medical clinics while serving
252 on the staff of the exchange.

253 (C) No employee of the exchange shall be a health care provider
254 unless (i) (I) such employee receives no compensation for rendering
255 services as a health care provider, or (II) the chief executive officer
256 approves the hiring of such provider as an employee on the basis that
257 such provider fills an area of need of expertise for the exchange, and
258 (ii) such employee does not have an ownership interest in a
259 professional health care practice.

260 (2) No employee of the exchange shall, for one year after
261 terminating employment with the exchange, accept employment with
262 any health carrier that offers a qualified health benefit plan through
263 the exchange.

264 (3) Any employee of the exchange whose primary purpose is to
265 assist individuals or small employers in selecting health insurance
266 plans offered on the exchange to purchase shall be licensed as an
267 insurance producer under chapter 701a not later than eighteen months
268 after such employee begins employment with the exchange.

269 (4) Any employee of the exchange may enroll in a group
270 hospitalization and medical and surgical insurance plan under
271 subsection (a) of section 5-259, provided the exchange reimburses the
272 appropriate state agencies for all costs incurred by such enrollment.

273 (f) The board may consult with such parties, public or private, as it
274 deems desirable or necessary in exercising its duties under sections
275 38a-1080 to 38a-1090, inclusive, as amended by this act, and section 9 of
276 this act.

277 (g) The board may create such advisory committees as it deems

278 necessary to provide input on issues that may include, but are not
279 limited to, customer service needs and insurance producer concerns.

280 Sec. 3. Subsection (a) of section 38a-1082 of the general statutes is
281 repealed and the following is substituted in lieu thereof (*Effective from*
282 *passage*):

283 (a) The board of directors of the exchange shall adopt written
284 procedures, in accordance with the provisions of section 1-121, for: (1)
285 Adopting an annual budget and plan of operations, including a
286 requirement of board approval before the budget or plan may take
287 effect; (2) hiring, dismissing, promoting and compensating employees
288 of the exchange, including an affirmative action policy and a
289 requirement of board approval before a position may be created or a
290 vacancy filled; (3) acquiring real and personal property and personal
291 services, including a requirement of board approval for any
292 nonbudgeted expenditure in excess of five thousand dollars; (4)
293 contracting for financial, legal, bond underwriting and other
294 professional services, including a requirement that the exchange solicit
295 proposals at least once every three years for each such service [which]
296 that it uses; (5) issuing and retiring bonds, bond anticipation notes and
297 other obligations of the authority; (6) establishing requirements for
298 certification of qualified health plans that include, but are not limited
299 to, minimum standards for marketing practices, network adequacy,
300 essential community providers in underserved areas, accreditation,
301 quality improvement, uniform enrollment forms and descriptions of
302 coverage, and quality measures for health benefit plan performance;
303 [and] (7) implementing the provisions of sections 38a-1080 to 38a-1090,
304 inclusive, as amended by this act, or other provisions of the general
305 statutes. Any such written procedures adopted pursuant to this
306 subdivision [(7) of this subsection] shall not conflict with or prevent
307 the application of regulations promulgated by the Secretary under the
308 Affordable Care Act; (8) implementing and administering the all-payer
309 claims database program established pursuant to section 9 of this act.
310 Any such written procedures adopted pursuant to this subdivision

311 shall include reporting requirements for reporting entities, as defined
312 in section 9 of this act; and (9) providing notice to a reporting entity, as
313 defined in section 9 of this act, of, and the rules of practice for a
314 hearing process for, such reporting entity's alleged failure to comply
315 with reporting requirements.

316 Sec. 4. Section 38a-1083 of the general statutes is repealed and the
317 following is substituted in lieu thereof (*Effective from passage*):

318 (a) For purposes of sections 38a-1080 to 38a-1090, inclusive, as
319 amended by this act, and section 9 of this act, "purposes of the
320 exchange" means the purposes of the exchange expressed in and
321 pursuant to this section, which are hereby determined to be public
322 purposes for which public funds may be expended. The powers
323 enumerated in this section shall be interpreted broadly to effectuate
324 the purposes of the exchange and shall not be construed as a limitation
325 of powers.

326 (b) The goals of the exchange shall be to reduce the number of
327 individuals without health insurance in this state and assist
328 individuals and small employers in the procurement of health
329 insurance by, among other services, offering easily comparable and
330 understandable information about health insurance options.

331 (c) The exchange is authorized and empowered to:

332 (1) Have perpetual successions as a body politic and corporate and
333 to adopt bylaws for the regulation of its affairs and the conduct of its
334 business;

335 (2) Adopt an official seal and alter the same at pleasure;

336 (3) Maintain an office in the state at such place or places as it may
337 designate;

338 (4) Employ such assistants, agents, managers and other employees
339 as may be necessary or desirable;

340 (5) Acquire, lease, purchase, own, manage, hold and dispose of real
341 and personal property, and lease, convey or deal in or enter into
342 agreements with respect to such property on any terms necessary or
343 incidental to the carrying out of these purposes, provided all such
344 acquisitions of real property for the exchange's own use with amounts
345 appropriated by this state to the exchange or with the proceeds of
346 bonds supported by the full faith and credit of this state shall be
347 subject to the approval of the Secretary of the Office of Policy and
348 Management and the provisions of section 4b-23, as amended by this
349 act;

350 (6) Receive and accept, from any source, aid or contributions,
351 including money, property, labor and other things of value;

352 (7) Charge assessments or user fees to health carriers that are
353 capable of offering a qualified health plan through the exchange or
354 otherwise generate funding necessary to support the operations of the
355 exchange;

356 (8) Procure insurance against loss in connection with its property
357 and other assets in such amounts and from such insurers as it deems
358 desirable;

359 (9) Invest any funds not needed for immediate use or disbursement
360 in obligations issued or guaranteed by the United States of America or
361 the state and in obligations that are legal investments for savings banks
362 in the state;

363 (10) Issue bonds, bond anticipation notes and other obligations of
364 the exchange for any of its corporate purposes, and to fund or refund
365 the same and provide for the rights of the holders thereof, and to
366 secure the same by pledge of revenues, notes and mortgages of others;

367 (11) Borrow money for the purpose of obtaining working capital;

368 (12) Account for and audit funds of the exchange and any recipients

369 of funds from the exchange;

370 (13) Make and enter into any contract or agreement necessary or
371 incidental to the performance of its duties and execution of its powers.
372 The contracts entered into by the exchange shall not be subject to the
373 approval of any other state department, office or agency, provided
374 copies of all contracts of the exchange shall be maintained by the
375 exchange as public records, subject to the proprietary rights of any
376 party to the contract;

377 (14) To the extent permitted under its contract with other persons,
378 consent to any termination, modification, forgiveness or other change
379 of any term of any contractual right, payment, royalty, contract or
380 agreement of any kind to which the exchange is a party;

381 (15) Award grants to [Navigators as described in subdivision (19) of
382 section 38a-1084 and in accordance with section 38a-1087] trained and
383 certified individuals and institutions that will assist individuals,
384 families and small employers and their employees to enroll in
385 appropriate coverage through the exchange. Applications for grants
386 from the exchange shall be made on a form prescribed by the board;

387 (16) Limit the number of plans offered, and use selective criteria in
388 determining which plans to offer, through the exchange, provided
389 individuals and employers have an adequate number and selection of
390 choices;

391 (17) Evaluate jointly with the Sustinet Health Care Cabinet the
392 feasibility of implementing a basic health program option as set forth
393 in Section 1331 of the Affordable Care Act;

394 (18) Sue and be sued, plead and be impleaded;

395 (19) Adopt regular procedures that are not in conflict with other
396 provisions of the general statutes, for exercising the power of the
397 exchange; [and]

398 (20) Do all acts and things necessary and convenient to carry out the
399 purposes of the exchange, provided such acts or things shall not
400 conflict with the provisions of the Affordable Care Act, regulations
401 adopted thereunder or federal guidance issued pursuant to the
402 Affordable Care Act; and

403 (21) In accordance with the provisions of section 9 of this act,
404 impose a civil penalty on a reporting entity that fails to comply with
405 reporting requirements for the all-payer claims database program
406 established under section 9 of this act.

407 Sec. 5. Section 38a-1084 of the general statutes is repealed and the
408 following is substituted in lieu thereof (*Effective from passage*):

409 The exchange shall:

410 (1) Administer the exchange for both qualified individuals and
411 qualified employers;

412 (2) Commission surveys of individuals, small employers and health
413 care providers on issues related to health care and health care
414 coverage;

415 (3) Implement procedures for the certification, recertification and
416 decertification, consistent with guidelines developed by the Secretary
417 under Section 1311(c) of the Affordable Care Act, and section 38a-1086,
418 of health benefit plans as qualified health plans;

419 (4) Provide for the operation of a toll-free telephone hotline to
420 respond to requests for assistance;

421 (5) Provide for enrollment periods, as provided under Section
422 1311(c)(6) of the Affordable Care Act;

423 (6) Maintain an Internet web site through which enrollees and
424 prospective enrollees of qualified health plans may obtain
425 standardized comparative information on such plans including, but

426 not limited to, the enrollee satisfaction survey information under
427 Section 1311(c)(4) of the Affordable Care Act and any other
428 information or tools to assist enrollees and prospective enrollees
429 evaluate qualified health plans offered through the exchange;

430 (7) Publish the average costs of licensing, regulatory fees and any
431 other payments required by the exchange and the administrative costs
432 of the exchange, including information on monies lost to waste, fraud
433 and abuse, on an Internet web site to educate individuals on such
434 costs;

435 (8) [Assign] On or before the open enrollment period for plan year
436 2017, assign a rating to each qualified health plan offered through the
437 exchange in accordance with the criteria developed by the Secretary
438 under Section 1311(c)(3) of the Affordable Care Act, and determine
439 each qualified health plan's level of coverage in accordance with
440 regulations issued by the Secretary under Section 1302(d)(2)(A) of the
441 Affordable Care Act;

442 (9) Use a standardized format for presenting health benefit options
443 in the exchange, including the use of the uniform outline of coverage
444 established under Section 2715 of the Public Health Service Act, 42
445 USC 300gg-15, as amended from time to time;

446 (10) Inform individuals, in accordance with Section 1413 of the
447 Affordable Care Act, of eligibility requirements for the Medicaid
448 program under Title XIX of the Social Security Act, as amended from
449 time to time, the Children's Health Insurance Program (CHIP) under
450 Title XXI of the Social Security Act, as amended from time to time, or
451 any applicable state or local public program, and enroll an individual
452 in such program if the exchange determines, through screening of the
453 application by the exchange, that such individual is eligible for any
454 such program;

455 (11) Collaborate with the Department of Social Services, to the
456 extent possible, to allow an enrollee who loses premium tax credit

457 eligibility under Section 36B of the Internal Revenue Code and is
458 eligible for HUSKY Plan, Part A or any other state or local public
459 program, to remain enrolled in a qualified health plan;

460 (12) Establish and make available by electronic means a calculator to
461 determine the actual cost of coverage after application of any premium
462 tax credit under Section 36B of the Internal Revenue Code and any
463 cost-sharing reduction under Section 1402 of the Affordable Care Act;

464 (13) Establish a program for small employers through which
465 qualified employers may access coverage for their employees and that
466 shall enable any qualified employer to specify a level of coverage so
467 that any of its employees may enroll in any qualified health plan
468 offered through the exchange at the specified level of coverage;

469 (14) Offer enrollees and small employers the option of having the
470 exchange collect and administer premiums, including through
471 allocation of premiums among the various insurers and qualified
472 health plans chosen by individual employers;

473 (15) Grant a certification, subject to Section 1411 of the Affordable
474 Care Act, attesting that, for purposes of the individual responsibility
475 penalty under Section 5000A of the Internal Revenue Code, an
476 individual is exempt from the individual responsibility requirement or
477 from the penalty imposed by said Section 5000A because:

478 (A) There is no affordable qualified health plan available through
479 the exchange, or the individual's employer, covering the individual; or

480 (B) The individual meets the requirements for any other such
481 exemption from the individual responsibility requirement or penalty;

482 (16) Provide to the Secretary of the Treasury of the United States the
483 following:

484 (A) A list of the individuals granted a certification under
485 subdivision (15) of this section, including the name and taxpayer

486 identification number of each individual;

487 (B) The name and taxpayer identification number of each individual
488 who was an employee of an employer but who was determined to be
489 eligible for the premium tax credit under Section 36B of the Internal
490 Revenue Code because:

491 (i) The employer did not provide minimum essential health benefits
492 coverage; or

493 (ii) The employer provided the minimum essential coverage but it
494 was determined under Section 36B(c)(2)(C) of the Internal Revenue
495 Code to be unaffordable to the employee or not provide the required
496 minimum actuarial value; and

497 (C) The name and taxpayer identification number of:

498 (i) Each individual who notifies the exchange under Section
499 1411(b)(4) of the Affordable Care Act that such individual has changed
500 employers; and

501 (ii) Each individual who ceases coverage under a qualified health
502 plan during a plan year and the effective date of that cessation;

503 (17) Provide to each employer the name of each employee, as
504 described in subparagraph (B) of subdivision (16) of this section, of the
505 employer who ceases coverage under a qualified health plan during a
506 plan year and the effective date of the cessation;

507 (18) Perform duties required of, or delegated to, the exchange by the
508 Secretary or the Secretary of the Treasury of the United States related
509 to determining eligibility for premium tax credits, reduced cost-
510 sharing or individual responsibility requirement exemptions;

511 (19) Select entities qualified to serve as Navigators in accordance
512 with Section 1311(i) of the Affordable Care Act and award grants to
513 enable Navigators to:

514 (A) Conduct public education activities to raise awareness of the
515 availability of qualified health plans;

516 (B) Distribute fair and impartial information concerning enrollment
517 in qualified health plans and the availability of premium tax credits
518 under Section 36B of the Internal Revenue Code and cost-sharing
519 reductions under Section 1402 of the Affordable Care Act;

520 (C) Facilitate enrollment in qualified health plans;

521 (D) Provide referrals to the Office of the Healthcare Advocate or
522 health insurance ombudsman established under Section 2793 of the
523 Public Health Service Act, 42 USC 300gg-93, as amended from time to
524 time, or any other appropriate state agency or agencies, for any
525 enrollee with a grievance, complaint or question regarding the
526 enrollee's health benefit plan, coverage or a determination under that
527 plan or coverage; and

528 (E) Provide information in a manner that is culturally and
529 linguistically appropriate to the needs of the population being served
530 by the exchange;

531 (20) Review the rate of premium growth within and outside the
532 exchange and consider such information in developing
533 recommendations on whether to continue limiting qualified employer
534 status to small employers;

535 (21) Credit the amount, in accordance with Section 10108 of the
536 Affordable Care Act, of any free choice voucher to the monthly
537 premium of the plan in which a qualified employee is enrolled and
538 collect the amount credited from the offering employer;

539 (22) Consult with stakeholders relevant to carrying out the activities
540 required under sections 38a-1080 to 38a-1090, inclusive, as amended by
541 this act, including, but not limited to:

542 (A) Individuals who are knowledgeable about the health care

543 system, have background or experience in making informed decisions
544 regarding health, medical and scientific matters and are enrollees in
545 qualified health plans;

546 (B) Individuals and entities with experience in facilitating
547 enrollment in qualified health plans;

548 (C) Representatives of small employers and self-employed
549 individuals;

550 (D) The Department of Social Services; and

551 (E) Advocates for enrolling hard-to-reach populations;

552 (23) Meet the following financial integrity requirements:

553 (A) Keep an accurate accounting of all activities, receipts and
554 expenditures and annually submit to the Secretary, the Governor, the
555 Insurance Commissioner and the General Assembly a report
556 concerning such accountings;

557 (B) Fully cooperate with any investigation conducted by the
558 Secretary pursuant to the Secretary's authority under the Affordable
559 Care Act and allow the Secretary, in coordination with the Inspector
560 General of the United States Department of Health and Human
561 Services, to:

562 (i) Investigate the affairs of the exchange;

563 (ii) Examine the properties and records of the exchange; and

564 (iii) Require periodic reports in relation to the activities undertaken
565 by the exchange; and

566 (C) Not use any funds in carrying out its activities under sections
567 38a-1080 to 38a-1089, inclusive, as amended by this act, and section 9 of
568 this act that are intended for the administrative and operational
569 expenses of the exchange, for staff retreats, promotional giveaways,

570 excessive executive compensation or promotion of federal or state
571 legislative and regulatory modifications;

572 (24) Seek to include the most comprehensive health benefit plans
573 that offer high quality benefits at the most affordable price in the
574 exchange; [and]

575 (25) Report at least annually to the General Assembly on the effect
576 of adverse selection on the operations of the exchange and make
577 legislative recommendations, if necessary, to reduce the negative
578 impact from any such adverse selection on the sustainability of the
579 exchange, including recommendations to ensure that regulation of
580 insurers and health benefit plans are similar for qualified health plans
581 offered through the exchange and health benefit plans offered outside
582 the exchange. The exchange shall evaluate whether adverse selection is
583 occurring with respect to health benefit plans that are grandfathered
584 under the Affordable Care Act, self-insured plans, plans sold through
585 the exchange and plans sold outside the exchange; and

586 (26) Seek funding for and oversee the planning, implementation and
587 development of policies and procedures for the administration of the
588 all-payer claims database program established under section 9 of this
589 act.

590 Sec. 6. Subsection (a) of section 38a-1088 of the general statutes is
591 repealed and the following is substituted in lieu thereof (*Effective from*
592 *passage*):

593 (a) The state of Connecticut does hereby pledge to, and agree with,
594 any person with whom the exchange may enter into contracts
595 pursuant to the provisions of sections 38a-1080 to 38a-1090, inclusive,
596 as amended by this act, and section 9 of this act that the state will not
597 limit or alter the rights hereby vested in the exchange until such
598 contracts and the obligations thereunder are fully met and performed
599 on the part of the exchange, except that nothing in this subsection shall
600 preclude such limitation or alteration if adequate provision shall be

601 made by law for the protection of such persons entering into contracts
602 with the exchange.

603 Sec. 7. Subsection (a) of section 38a-1089 of the general statutes is
604 repealed and the following is substituted in lieu thereof (*Effective from*
605 *passage*):

606 (a) Not later than January 1, 2012, and annually thereafter until
607 January 1, 2014, the chief executive officer of the exchange shall report,
608 in accordance with section 11-4a, to the Governor and the General
609 Assembly on a plan, and any revisions or amendments to such plan, to
610 establish a health insurance exchange in the state. Such report shall
611 address:

612 (1) Whether to establish two separate exchanges, one for the
613 individual health insurance market and one for the small employer
614 health insurance market, or to establish a single exchange;

615 (2) Whether to merge the individual and small employer health
616 insurance markets;

617 (3) Whether to revise the definition of "small employer" from not
618 more than fifty employees to not more than one hundred employees;

619 (4) Whether to allow large employers to participate in the exchange
620 beginning in 2017;

621 (5) Whether to require qualified health plans to provide the essential
622 health benefits package, as described in Section 1302(a) of the
623 Affordable Care Act, or include additional state mandated benefits;

624 (6) Whether to list dental benefits separately on the exchange's
625 Internet web site where a qualified health plan includes dental
626 benefits;

627 (7) The relationship of the exchange to insurance producers;

628 (8) The capacity of the exchange to award Navigator grants
629 pursuant to section 38a-1087;

630 (9) Ways to ensure that the exchange is financially sustainable by
631 2015, as required by the Affordable Care Act including, but not limited
632 to, assessments or user fees charged to carriers; [and]

633 (10) Methods to independently evaluate consumers' experience,
634 including, but not limited to, hiring consultants to act as secret
635 shoppers; and

636 (11) The status of the implementation and administration of the all-
637 payer claims database program established under section 9 of this act.

638 Sec. 8. Section 38a-1090 of the general statutes is repealed and the
639 following is substituted in lieu thereof (*Effective from passage*):

640 (a) The exchange shall continue as long as it shall have legal
641 authority to exist pursuant to the general statutes and until its
642 existence is terminated by law. Upon the termination of the existence
643 of the exchange, all its rights and properties shall pass to and be vested
644 in the state of Connecticut.

645 (b) The exchange shall be subject to the Freedom of Information Act,
646 as defined in section 1-200, except that; [the]

647 (1) The following information under sections 38a-1081 to 38a-1089,
648 inclusive, as amended by this act, shall not be subject to disclosure
649 under section 1-210: [(1)] (A) The names and applications of
650 individuals and employers seeking coverage through the exchange;
651 [(2)] (B) individuals' health information; and [(3)] (C) information
652 exchanged between the exchange and the [(A)] (i) Departments of
653 Social Services, Public Health and Revenue Services, [(B)] (ii) Insurance
654 Department, [(C)] (iii) office of the Comptroller, or (D) any other state
655 agency that is subject to confidentiality agreements under contracts
656 entered into with the exchange; [.] and

657 (2) (A) Any disclosures made pursuant to subdivision (4) of
658 subsection (b) of section 9 of this act of health information, as defined
659 in 45 CFR 160.103, as amended from time to time, provided such
660 health information is permitted to be disclosed under the Health
661 Insurance Portability and Accountability Act of 1996, P.L. 104-191, as
662 amended from time to time, or regulations adopted thereunder, shall
663 have identifiers removed, as set forth in 45 CFR 164.514, as amended
664 from time to time; and

665 (B) Any disclosures made pursuant to subdivision (4) of subsection
666 (b) of section 9 of this act of information other than health information
667 shall be made in a manner to protect the confidentiality of such other
668 information as required by state and federal law.

669 (c) Unless expressly specified, nothing in this section or sections 38a-
670 1080 to 38a-1089, inclusive, and no action taken by the exchange
671 pursuant to said sections shall be construed to preempt, supersede or
672 affect the authority of the commissioner to regulate the business of
673 insurance in the state. All health carriers offering qualified health plans
674 in the state shall comply with all applicable health insurance laws of
675 the state and regulations adopted and orders issued by the
676 commissioner.

677 Sec. 9. (NEW) (*Effective from passage*) (a) As used in this section:

678 (1) "All-payer claims database" means a database that receives and
679 stores data from a reporting entity relating to medical insurance
680 claims, dental insurance claims, pharmacy claims and other insurance
681 claims information from enrollment and eligibility files; and

682 (2) (A) "Reporting entity" means:

683 (i) An insurer, as described in section 38a-1 of the general statutes,
684 licensed to do health insurance business in this state;

685 (ii) A health care center, as defined in section 38a-175 of the general

686 statutes;

687 (iii) An insurer or health care center that provides coverage under
688 Part C or Part D of Title XVIII of the Social Security Act, as amended
689 from time to time, to residents of this state;

690 (iv) A third-party administrator, as defined in section 38a-720 of the
691 general statutes;

692 (v) A pharmacy benefits manager, as defined in section 38a-479aaa
693 of the general statutes;

694 (vi) A hospital service corporation, as defined in section 38a-199 of
695 the general statutes;

696 (vii) A nonprofit medical service corporation, as defined in section
697 38a-214 of the general statutes;

698 (viii) A fraternal benefit society, as described in section 38a-595 of
699 the general statutes, that transacts health insurance business in this
700 state;

701 (ix) A dental plan organization, as defined in section 38a-577 of the
702 general statutes;

703 (x) A preferred provider network, as defined in section 38a-479aa of
704 the general statutes; and

705 (xi) Any other person that administers health care claims and
706 payments pursuant to a contract or agreement or is required by statute
707 to administer such claims and payments.

708 (B) "Reporting entity" does not include an employee welfare benefit
709 plan, as defined in the federal Employee Retirement Income Security
710 Act of 1974, as amended from time to time, that is also a trust
711 established pursuant to collective bargaining subject to the federal
712 Labor Management Relations Act.

713 (b) (1) There is established an all-payer claims database program.
714 The exchange shall: (A) Oversee the planning, implementation and
715 administration of the all-payer claims database program for the
716 purpose of collecting, assessing and reporting health care information
717 relating to safety, quality, cost-effectiveness, access and efficiency for
718 all levels of health care; (B) ensure that data received from reporting
719 entities is securely collected, compiled and stored in accordance with
720 state and federal law; and (C) conduct audits of data submitted by
721 reporting entities in order to verify its accuracy.

722 (2) The exchange shall seek funding from the federal government,
723 other public sources and other private sources to cover costs associated
724 with the planning, implementation and administration of the all-payer
725 claims database program.

726 (3) (A) Upon the adoption of reporting requirements as set forth in
727 section 38a-1082 of the general statutes, as amended by this act, a
728 reporting entity shall report health care information for inclusion in
729 the all-payer claims database in a form and manner prescribed by the
730 exchange. The exchange may, after notice and hearing, impose a civil
731 penalty on any reporting entity that fails to report health care
732 information as prescribed. Such civil penalty shall not exceed one
733 thousand dollars per day for each day of violation and shall not be
734 imposed as a cost for the purpose of rate determination or
735 reimbursement by a third-party payer.

736 (B) The chief executive officer may provide the name of any
737 reporting entity on which such penalty has been imposed to the
738 commissioner. After consultation with said officer, the commissioner
739 may request the Attorney General to bring an action in the superior
740 court for the judicial district of Hartford to recover any penalty
741 imposed pursuant to subparagraph (A) of this subdivision.

742 (4) The exchange shall: (A) Utilize data in the all-payer claims
743 database to provide health care consumers in the state with

744 information concerning the cost and quality of health care services that
745 allows such consumers to make economically sound and medically
746 appropriate health care decisions; and (B) make data in the all-payer
747 claims database available to any state agency, insurer, employer,
748 health care provider, consumer of health care services or researcher for
749 the purpose of allowing such person or entity to review such data as it
750 relates to health care utilization, costs or quality of health care services.
751 Such disclosure shall be made in accordance with subdivision (2) of
752 subsection (b) of section 38a-1090 of the general statutes, as amended
753 by this act. The exchange may set a fee to be charged to each person or
754 entity requesting access to data stored in the all-payer claims database.

755 (5) The exchange may (A) in consultation with the All-Payer Claims
756 Database Advisory Group set forth in subsection (c) of this section,
757 enter into a contract with a person or entity to plan, implement or
758 administer the all-payer claims database program, (B) enter into a
759 contract or take any action that is necessary to obtain fee-for-service
760 health claims data under the state medical assistance program or
761 Medicare Part A or Part B, and (C) enter into a contract for the
762 collection, management or analysis of data received from reporting
763 entities. Any such contract for the collection, management or analysis
764 of such data shall expressly prohibit the disclosure of such data for
765 purposes other than the purposes described in this subdivision.

766 (c) (1) There is established a working group to be known as the All-
767 Payer Claims Database Advisory Group. Any member of the working
768 group, as of June 30, 2013, shall continue to serve as a member of said
769 group. Said group shall include, but not be limited to, the Secretary of
770 the Office of Policy and Management, the Comptroller, the
771 Commissioners of Public Health, Social Services and Mental Health
772 and Addiction Services, the Insurance Commissioner, the Healthcare
773 Advocate, the Chief Information Officer, a representative of the
774 Connecticut State Medical Society, representatives of health insurance
775 companies, health insurance purchasers, hospitals, consumer
776 advocates and health care providers. The chief executive officer of the

777 exchange, in concurrence with the chairperson of the exchange, may
778 appoint additional members to said group.

779 (2) The All-Payer Claims Database Advisory Group shall develop a
780 plan to implement a state-wide multipayer data initiative to enhance
781 the state's use of health care data from multiple sources to increase
782 efficiency, enhance outcomes and improve the understanding of health
783 care expenditures in the public and private sectors.

784 Sec. 10. Section 19a-725 of the general statutes is repealed and the
785 following is substituted in lieu thereof (*Effective from passage*):

786 (a) There is established within the office of the Lieutenant Governor,
787 the SustiNet Health Care Cabinet for the purpose of advising the
788 Governor [and the Office of Health Reform and Innovation] on the
789 matters set forth in subsection (c) of this section.

790 (b) (1) The SustiNet Health Care Cabinet shall consist of the
791 following members who shall be appointed on or before August 1,
792 2011: (A) Five appointed by the Governor, two of whom may represent
793 the health care industry and shall serve for terms of four years, one of
794 whom shall represent community health centers and shall serve for a
795 term of three years, one of whom shall represent insurance producers
796 and shall serve for a term of three years and one of whom shall be an
797 at-large appointment and shall serve for a term of three years; (B) one
798 appointed by the president pro tempore of the Senate, who shall be an
799 oral health specialist engaged in active practice and shall serve for a
800 term of four years; (C) one appointed by the majority leader of the
801 Senate, who shall represent labor and shall serve for a term of three
802 years; (D) one appointed by the minority leader of the Senate, who
803 shall be an advanced practice registered nurse engaged in active
804 practice and shall serve for a term of two years; (E) one appointed by
805 the speaker of the House of Representatives, who shall be a consumer
806 advocate and shall serve for a term of four years; (F) one appointed by
807 the majority leader of the House of Representatives, who shall be a

808 primary care physician engaged in active practice and shall serve for a
809 term of four years; (G) one appointed by the minority leader of the
810 House of Representatives, who shall represent the health information
811 technology industry and shall serve for a term of three years; (H) five
812 appointed jointly by the chairpersons of the Sustinet Health
813 Partnership board of directors, one of whom shall represent faith
814 communities, one of whom shall represent small businesses, one of
815 whom shall represent the home health care industry, one of whom
816 shall represent hospitals, and one of whom shall be an at-large
817 appointment, all of whom shall serve for terms of five years; (I) the
818 Lieutenant Governor; (J) the Secretary of the Office of Policy and
819 Management, or the secretary's designee; the Comptroller, or the
820 Comptroller's designee; the [Special Advisor to the Governor on
821 Healthcare Reform, or the special advisor's designee] chief executive
822 officer of the Connecticut Health Insurance Exchange, or said officer's
823 designee; the Commissioners of Social Services and Public Health, or
824 their designees; and the Healthcare Advocate, or the Healthcare
825 Advocate's designee, all of whom shall serve as ex-officio voting
826 members; and (K) the Commissioners of Children and Families,
827 Developmental Services and Mental Health and Addiction Services,
828 and the Insurance Commissioner, or their designees, and the nonprofit
829 liaison to the Governor, or the nonprofit liaison's designee, all of whom
830 shall serve as ex-officio nonvoting members.

831 (2) Following the expiration of initial cabinet member terms,
832 subsequent cabinet terms shall be for four years, commencing on
833 August first of the year of the appointment. If an appointing authority
834 fails to make an initial appointment to the cabinet or an appointment
835 to fill a cabinet vacancy within ninety days of the date of such vacancy,
836 the appointed cabinet members shall, by majority vote, make such
837 appointment to the cabinet.

838 (3) Upon the expiration of the initial terms of the five cabinet
839 members appointed by Sustinet Health Partnership board of directors,
840 five successor cabinet members shall be appointed as follows: (A) One

841 appointed by the Governor; (B) one appointed by the president pro
842 tempore of the Senate; (C) one appointed by the speaker of the House
843 of Representatives; and (D) two appointed by majority vote of the
844 appointed board members. Successor board members appointed
845 pursuant to this subdivision shall be at-large appointments.

846 (4) The Lieutenant Governor shall serve as the chairperson of the
847 Sustinet Health Care Cabinet. The Lieutenant Governor shall schedule
848 the first meeting of the Sustinet Health Care Cabinet, which meeting
849 shall be held not later than September 1, 2011.

850 (c) The Sustinet Health Care Cabinet shall advise the Governor [and
851 the Office of Health Reform and Innovation] regarding the
852 development of an integrated health care system for Connecticut and
853 shall:

854 (1) Evaluate the means of ensuring an adequate health care
855 workforce in the state;

856 (2) Jointly evaluate, with the chief executive officer of the
857 Connecticut Health Insurance Exchange, the feasibility of
858 implementing a basic health program option as set forth in Section
859 1331 of the Affordable Care Act;

860 (3) Identify short and long-range opportunities, issues and gaps
861 created by the enactment of federal health care reform;

862 (4) [Coordinate with the Office of Health Reform and Innovation
863 concerning] Review the effectiveness of delivery system reforms and
864 other efforts to control health care costs, including, but not limited to,
865 reforms and efforts implemented by state agencies; and

866 [(5) (A) Develop a business plan to be provided to the Governor and
867 the Office of Health Reform and Innovation that takes into account
868 feasibility and risk assessments conducted pursuant to subsection (h)
869 of section 19a-724 and evaluates private or public mechanisms that will

870 provide adequate health insurance products commencing on January
871 1, 2014, including, but not limited to, for-profit and nonprofit
872 organizations, insurance cooperatives and self-insurance, and (B)
873 submit appropriate implementation recommendations for the
874 Governor's consideration; and]

875 [(6)] (5) Advise the Governor on matters relating to: (A) The design,
876 implementation, actionable objectives and evaluation of state and
877 federal health care policies, priorities and objectives relating to the
878 state's efforts to improve access to health care, and (B) the quality of
879 such care and the affordability and sustainability of the state's health
880 care system.

881 (d) The Sustinet Health Care Cabinet may convene working groups,
882 which include volunteer health care experts, to make
883 recommendations concerning the development and implementation of
884 service delivery and health care provider payment reforms, including
885 multipayer initiatives, medical homes, electronic health records and
886 evidenced-based health care quality improvement.

887 (e) The office of the Lieutenant Governor and the Office of the
888 Healthcare Advocate shall provide support staff to the Sustinet Health
889 Care Cabinet.

890 Sec. 11. Section 14 of public act 11-53 is repealed and the following is
891 substituted in lieu thereof (*Effective from passage*):

892 (a) The [Office of Health Reform and Innovation, in consultation
893 with the] board of directors of the Connecticut Health Insurance
894 Exchange and the joint standing committees of the General Assembly
895 having cognizance of matters relating to appropriations and the
896 budgets of state agencies and insurance, shall prepare an analysis of
897 the cost impact on the state and a cost-benefit analysis of the essential
898 health benefits package, as described in Section 1302(a) of the Patient
899 Protection and Affordable Care Act, P. L. 111-148, as amended from
900 time to time, and coverage requirements under chapter 700c of the

901 general statutes. Such analysis shall consider regulations issued by the
902 Secretary of the United States Department of Health and Human
903 Services pursuant to Section 1311 of the Patient Protection and
904 Affordable Care Act, P. L. 111-148, as amended from time to time, and
905 any applicable health benefit review report performed by the
906 Insurance Department pursuant to section 38a-21 of the general
907 statutes.

908 (b) Not later than sixty days after said secretary publishes the
909 essential health benefits required under Section 1302 of the Patient
910 Protection and Affordable Care Act, P. L. 111-148, as amended from
911 time to time, [the Office of Health Reform and Innovation shall submit
912 such analysis to the Governor,] the board of directors of the
913 Connecticut Health Insurance Exchange shall submit such analysis to
914 the Governor and the joint standing committees of the General
915 Assembly having cognizance of matters relating to appropriations and
916 the budgets of state agencies and insurance.

917 Sec. 12. Subsection (d) of section 3-123ddd of the general statutes is
918 repealed and the following is substituted in lieu thereof (*Effective from*
919 *passage*):

920 (d) Nothing in sections 3-123aaa to 3-123hhh, inclusive, as amended
921 by this act, 19a-654, [19a-724, 19a-724a, 19a-725,] 38a-513f, [or] 38a-513g
922 or section 9 of this act shall diminish any right to retiree health
923 insurance pursuant to a collective bargaining agreement or any other
924 provision of the general statutes.

925 Sec. 13. Subsection (b) of section 3-123hhh of the general statutes is
926 repealed and the following is substituted in lieu thereof (*Effective from*
927 *passage*):

928 (b) Nothing in this section or sections 3-123aaa to 3-123ggg,
929 inclusive, 19a-654, [19a-724, 19a-724a, 19a-725,] 38a-513f, [or] 38a-513g
930 or section 9 of this act shall modify the state employee plan in any way
931 without the written consent of the State Employees Bargaining Agent

932 Coalition and the Secretary of the Office of Policy and Management.

933 Sec. 14. Section 22a-471 of the general statutes is repealed and the
934 following is substituted in lieu thereof (*Effective July 1, 2013*):

935 (a) (1) If the [commissioner] Commissioner of Energy and
936 Environmental Protection determines that pollution of the
937 groundwaters has occurred or can reasonably be expected to occur and
938 the Commissioner of Public Health determines that the extent of
939 pollution creates or can reasonably be expected to create an
940 unacceptable risk of injury to the health or safety of persons using such
941 groundwaters as a public or private source of water for drinking or
942 other personal or domestic uses, the Commissioner of Energy and
943 Environmental Protection [shall, within available appropriations,
944 arrange for the short-term provision of potable drinking water to those
945 residential buildings and elementary and secondary schools affected
946 by such pollution until either he issues an order pursuant to this
947 section requiring the provision of such short-term supply and the
948 recipient complies with such order or a long-term supply of potable
949 drinking water has been provided, whichever is earlier. In determining
950 if pollution creates an unacceptable risk of injury, the Commissioner of
951 Public Health shall balance all relevant and substantive facts and
952 inferences and shall not be limited to a consideration of available
953 statistical analysis but shall consider all of the evidence presented and
954 any factor related to human health risks. The commissioner] may issue
955 an order to the person or municipality responsible for such pollution
956 requiring that potable drinking water be provided to all persons
957 affected by such pollution. In determining if pollution creates an
958 unacceptable risk of injury, the Commissioner of Public Health shall
959 balance all relevant and substantive facts and inferences and shall not
960 be limited to a consideration of available statistical analysis but shall
961 consider all of the evidence presented and any factor related to human
962 health risks. If the [commissioner] Commissioner of Energy and
963 Environmental Protection finds that more than one person or
964 municipality is responsible for such pollution, [he] the commissioner

965 shall attempt to apportion responsibility if [he] the commissioner
966 determines that apportionment is appropriate. If [he] the
967 commissioner does not apportion responsibility, all persons and
968 municipalities responsible for the pollution of the groundwaters shall
969 be jointly and severally responsible for the providing of potable
970 drinking water to persons affected by such pollution. If the
971 commissioner determines that the state or an agency or department of
972 the state is responsible in whole or in part for the pollution of the
973 groundwaters, such agency or department shall prepare or arrange for
974 the preparation of an engineering report and shall provide or arrange
975 for the provision of a long-term potable drinking water supply. If the
976 commissioner is unable to determine the person or municipality
977 responsible or if [he] the commissioner determines that the responsible
978 persons have no assets other than land, buildings, business machinery
979 or livestock and are unable to secure a loan at a reasonable rate of
980 interest to provide potable drinking water, [he] the commissioner may
981 prepare or arrange for the preparation of an engineering report and
982 provide or arrange for the provision of a long-term potable drinking
983 water supply or [he] the commissioner may issue an order to the
984 municipality wherein groundwaters unusable for potable drinking
985 water are located requiring that short-term provision of potable
986 drinking water be made to those existing residential buildings and
987 elementary and secondary schools affected by such pollution and that
988 long-term provision of potable drinking water be made to all persons
989 affected by such pollution. For purposes of this section, "residential
990 building" means any house, apartment, trailer, mobile manufactured
991 home or other structure occupied by individuals as a dwelling, except
992 a non-owner-occupied hotel or motel or a correctional institution.

993 (2) Any order issued pursuant to this section may require the
994 provision of potable drinking water in such quantities as the
995 commissioner determines are necessary for drinking and other
996 personal and domestic uses and may require the maintenance and
997 monitoring of potable water supply facilities for any period which the

998 commissioner determines is necessary. In making such determinations,
999 the commissioner shall consider the short-term and long-term needs
1000 for potable drinking water and the health and safety of those persons
1001 whose water supply is unusable. Any order may require the
1002 submission of an engineering report which shall be subject to the
1003 approval of the commissioner and the Commissioner of Public Health
1004 and include, but not be limited to, a description in detail of the
1005 problem, area and population affected by pollution of the
1006 groundwaters; the expected duration of and extent of the pollution;
1007 alternate solutions including relative cost of construction or
1008 installation, operation and maintenance; design criteria on all alternate
1009 solutions; and any other information which the commissioner deems
1010 necessary. Upon review of such report, the commissioner and the
1011 Commissioner of Public Health shall consider the nature of the
1012 pollution, the expected duration and extent of the pollution, the health
1013 and safety of the persons affected, the initial and ongoing cost-
1014 effectiveness and reliability of each alternative and any other factors
1015 which they deem relevant, and shall approve a system or method to
1016 provide potable drinking water pursuant to the order. Each order shall
1017 include a time schedule for the accomplishment of the steps leading to
1018 the provision of potable drinking water. Notwithstanding the fact that
1019 a responsible party has been or may be identified or a request for a
1020 hearing on or a pending appeal from an order issued pursuant to this
1021 section, when pollution of the groundwaters has occurred or may
1022 reasonably be expected to occur, the commissioner may prepare or
1023 arrange for the preparation of an engineering report as described in
1024 this subdivision and may provide or arrange for the provision of a
1025 long-term potable drinking water supply. In any case where the state
1026 or an agency or department of the state is responsible in whole or in
1027 part for the pollution of the groundwaters, such agency or department
1028 shall prepare or arrange for the preparation of an engineering report
1029 and shall provide or arrange for the provision of a long-term potable
1030 drinking water supply, and if the state is not the sole responsible party,
1031 the commissioner shall seek reimbursement under subdivision (4) of

1032 subsection (b) of this section for the costs of such report and for the
1033 provision of potable water. The cost of the report and of the provision
1034 of a long-term potable drinking water supply, as funds allow, shall be
1035 paid from the proceeds of any bonds authorized for the provision of
1036 potable drinking water.

1037 (3) The provisions of this section shall not affect the rights of any
1038 municipality to institute suit to recover all damages, expenses and
1039 costs incurred by the municipality from any responsible party,
1040 including, but not limited to, the costs specified in subparagraph (B)(i)
1041 and (ii) of subdivision (4) of subsection (b) of this section and, in the
1042 case of any municipality which is not responsible for the pollution of
1043 the groundwaters, the additional amounts specified in subparagraph
1044 (B)(iii) and (iv) of subdivision (4) of subsection (b) of this section.

1045 (4) No provision of this section shall limit the liability of any person
1046 who or municipality which renders the groundwaters unusable for
1047 potable drinking water from a suit for damages by a person who or
1048 municipality which relied on said groundwaters for potable drinking
1049 water prior to the determination by the commissioner that the
1050 groundwaters are polluted.

1051 (5) The commissioner may issue any order pursuant to this section if
1052 the pollution of the groundwaters occurred before or after July 1, 1982.

1053 (6) The commissioner may at any time require further action by any
1054 person to whom or municipality to which an order is issued pursuant
1055 to this section if [he] the commissioner determines that such action is
1056 necessary to protect the health and safety of those persons whose
1057 water supply was rendered unusable.

1058 (b) (1) (A) Any municipality not responsible for the pollution of the
1059 groundwaters which is ordered to provide potable drinking water in
1060 accordance with subsection (a) of this section may apply to the
1061 commissioner for a grant as provided by this subsection. Except as
1062 provided in subparagraph (C) of subdivision (1) of this subsection and

1063 in subdivision (2) of this subsection, the commissioner shall make
1064 grants for the short-term provision of potable drinking water and the
1065 construction or installation of individual wells or individual water
1066 treatment systems, including, but not limited to, carbon absorption
1067 filters and shall make grants for other capital improvements for the
1068 long-term provision of potable drinking water from any bond
1069 authorization established for that purpose.

1070 (B) The amount distributed to a municipality shall, as funds allow,
1071 equal one hundred per cent of the cost of short-term provision of
1072 potable drinking water, one hundred per cent of the cost of the
1073 engineering report required by this section, one hundred per cent of
1074 the cost of capital improvements for the most cost-effective long-term
1075 method of providing potable drinking water as determined by the
1076 commissioner and the Commissioner of Public Health upon
1077 consideration of such engineering report, and one hundred per cent of
1078 the cost during the first five years of installation of monitoring and
1079 maintaining individual water treatment systems and monitoring
1080 drinking water wells located in an area where the commissioner
1081 determines that pollution of the groundwater is reasonably likely to
1082 occur. No state funds shall be distributed to a municipality for the cost
1083 of operating or maintaining any potable water supply facilities other
1084 than as specified in this subsection.

1085 (C) Notwithstanding any provision of this subsection to the
1086 contrary, the commissioner may advance to a municipality, from the
1087 proceeds of any bonds authorized for the provision of potable drinking
1088 water, any percentage of the cost of short-term and long-term
1089 provision of potable drinking water which he deems necessary.

1090 (2) (A) If the commissioner is unable to determine the person or
1091 municipality responsible for rendering the groundwaters unusable for
1092 potable drinking water or if [he] the commissioner determines that the
1093 responsible persons have no assets other than land, buildings, business
1094 machinery or livestock and are unable to secure a loan at a reasonable

1095 rate of interest to provide potable drinking water, a water company
1096 which has less than ten thousand customers and which owns,
1097 maintains, operates, manages, controls or employs a water supply well
1098 which is rendered unusable for potable drinking water, may apply to
1099 the commissioner for a grant from funds established pursuant to
1100 section 22a-451 or from the proceeds of any bonds authorized for the
1101 provision of potable drinking water. If, upon review of the engineering
1102 report required by this subsection to be submitted with an application
1103 for such a grant, the commissioner determines that a grant to a water
1104 company from available appropriations or from the proceeds of any
1105 bonds authorized for the provision of potable drinking water is
1106 appropriate, [he] the commissioner may make such a grant in
1107 accordance with regulations adopted by [him] the commissioner
1108 pursuant to subsection (e) of this section.

1109 (B) The total amount distributed to a water company pursuant to
1110 this subsection shall, as funds allow, equal fifty per cent of the cost of
1111 the engineering report required by this subsection and fifty per cent of
1112 the cost of the most cost-effective long-term method of rendering the
1113 water supply in question usable for potable drinking water, as
1114 determined by the commissioner and the Commissioner of Public
1115 Health upon consideration of the required engineering report.

1116 (C) For purposes of this section, "water company" and "customer"
1117 shall have the same meaning as specified in section 25-32a.

1118 (D) Any water company applying for a grant pursuant to this
1119 section shall prepare or have prepared an engineering report which
1120 shall be subject to the approval of the commissioner and the
1121 Commissioner of Public Health and include, but not be limited to, a
1122 description in detail of the problem, area and population affected by
1123 pollution of the groundwaters; alternate solutions including relative
1124 cost of construction or installation, operation and maintenance; design
1125 criteria on all alternate solutions and any other information the
1126 commissioner deems necessary.

1127 (3) (A) If a municipality or water company receives funding from a
1128 private source, a federal grant or another state grant for any cost for
1129 which a grant may be awarded pursuant to this section, the grant
1130 under this section shall equal the specified percentage of the costs
1131 specified in this subsection minus the amount of the other funding.

1132 (B) If a municipality or water company receives a grant under this
1133 section and is compensated by a person who or municipality which is
1134 responsible for rendering the groundwaters unusable for potable
1135 drinking water, the municipality or water company shall reimburse
1136 the account from which the funds were made available for the grant as
1137 follows: If the compensation from the responsible party equals or
1138 exceeds the costs toward which the grant was to be applied, the
1139 municipality or water company shall reimburse the total amount of the
1140 grant; if the compensation is less than the cost toward which the grant
1141 was to be applied, the municipality or water company shall reimburse
1142 a percentage of the compensation equal to the percentage of such costs
1143 paid by the grant.

1144 (4) (A) Notwithstanding any request for a hearing or a pending
1145 appeal therefrom, if a person or municipality responsible for pollution
1146 of the groundwaters fails to comply with an order of the commissioner
1147 issued pursuant to this section, the municipality wherein such
1148 pollution is located may, after giving written notice of its intent to the
1149 commissioner and the responsible person or municipality, undertake
1150 the actions required by the order and seek reimbursement for the cost
1151 of such actions from the responsible person or municipality. If at any
1152 time after receipt of such a notice, the responsible party intends to
1153 comply with a step of the order which the municipality has not yet
1154 completed, the responsible party may do so with the written approval
1155 of the commissioner and municipality, provided the actions which the
1156 responsible party takes are consistent with those taken by the
1157 municipality.

1158 (B) The commissioner may order any person or municipality

1159 responsible for pollution of the groundwaters to reimburse the state, a
1160 water company, and any municipality which is not responsible for
1161 pollution but received an order pursuant to this section or which did
1162 not receive such an order but voluntarily provided potable drinking
1163 water, for (i) the expenses each incurred in providing potable drinking
1164 water to any person affected by such pollution, provided the required
1165 reimbursement for such expenses shall not exceed the actual cost of
1166 short-term provision of potable drinking water and an amount equal
1167 to the reasonable cost of planning and implementing the most cost-
1168 effective long-term method of providing potable drinking water as
1169 determined by the commissioner and the Commissioner of Public
1170 Health; (ii) costs for recovering such reimbursement; (iii) interest on
1171 the expenses specified in (i) at a rate of ten per cent a year from the
1172 date such expenses were paid; and (iv) reasonable attorney's fees. The
1173 commissioner may request the Attorney General to bring a civil action
1174 to recover any costs or expenses incurred by the commissioner
1175 pursuant to this subsection provided no such action may be brought
1176 later than ten years after the date of discovery of the pollution of
1177 public or private sources of water for drinking or other personal or
1178 domestic use.

1179 (C) If a municipality fails to recover all expenses specified in
1180 subparagraph (B)(i) of subdivision (4) of this subsection from the
1181 responsible party, the municipality may apply to the commissioner for
1182 a grant in accordance with this subsection, provided the total amount
1183 of funds received from the commissioner and the responsible party
1184 shall not exceed the amounts specified in subparagraph (B) of
1185 subdivision (1) of subsection (b) of this section.

1186 (5) For purposes of this section except subdivision (3) of subsection
1187 (a) and subparagraph (B)(ii) of subdivision (4) of this subsection, "cost"
1188 includes only those costs which the commissioner determines are
1189 necessary and reasonable, including, but not limited to, the cost of
1190 plans and specifications, construction or installation and supervision
1191 thereof.

1192 (6) If any grant application is pending on June 7, 1994, and is
1193 approved by the commissioner, the percentage of costs to be paid by
1194 the grant shall be determined in accordance with this section. Any
1195 order pending on May 31, 1985, shall be construed in accordance with
1196 this section.

1197 (7) Any person who or municipality which provides potable
1198 drinking water pursuant to this section may, with the approval of the
1199 commissioner, construct or install facilities beyond the areas included
1200 in the order or facilities which are more costly than those which are
1201 determined to be most cost-effective, provided any request for a grant
1202 or reimbursement shall be limited to the amounts specified in this
1203 section.

1204 (c) Any order issued under the provisions of this section shall be
1205 subject to the rights of any aggrieved person or municipality to a
1206 hearing before the commissioner as provided in section 22a-436, and
1207 appeal from the final determination of the commissioner to the
1208 Superior Court as provided in section 22a-437. The request for a
1209 hearing or pending appeal therefrom shall not constitute a condition
1210 which shall stay the commissioner from requesting that an injunction
1211 under the provisions of section 22a-6 or 22a-435, or a civil action to
1212 recover a forfeiture under the provisions of section 22a-438, be initiated
1213 by the Attorney General. The court shall issue an injunction requiring
1214 the recipient of the order to take the steps required by the order for
1215 short-term and long-term provision of potable drinking water unless
1216 such court determines that the issuance of the order was arbitrary.
1217 Notwithstanding any provision of the general statutes, a court shall
1218 not grant a stay from any order issued pursuant to this section on the
1219 grounds that an administrative appeal is pending. If it is thereafter
1220 determined by the Superior Court as the result of an appeal under the
1221 provisions of section 22a-437 that the commissioner acted arbitrarily,
1222 unreasonably or contrary to law in requiring a person or municipality
1223 to comply with an order the commissioner shall reimburse the person
1224 or municipality for the total costs which have been incurred from the

1225 funds established under section 22a-446.

1226 (d) The commissioner shall not issue an order to any person
1227 pursuant to this section if the sole basis for the order is that such
1228 person is the owner of the land from which the source of pollution or
1229 potential source of pollution emanates.

1230 (e) The commissioner may, in accordance with chapter 54, adopt
1231 such regulations as [he] the commissioner deems necessary to carry
1232 out the provisions of this section, and shall adopt regulations for the
1233 provision of grants pursuant to this section which shall include criteria
1234 for eligibility for funds.

1235 (f) (1) Notwithstanding the provisions of subsection (a) of this
1236 section, if the commissioner determines that a person whose actions
1237 have caused or can reasonably be expected to cause pollution of the
1238 groundwaters by the application of a pesticide (A) has properly
1239 applied the pesticide or arranged for a pesticide application which was
1240 properly performed, (B) was engaged in agriculture at the time the
1241 pesticide was applied and used the pesticide solely in the production
1242 of agricultural commodities, (C) has agreed to implement the plans
1243 specified in subdivision (2) of this subsection, and (D) maintained the
1244 records of the application of the pesticide as required by section 22a-58
1245 and the records and plan identified in section 22a-471a, the
1246 commissioner shall not issue an order under subsection (a) of this
1247 section to the person engaged in agriculture, but may issue an order
1248 under said subsection (a) to another responsible person, including, but
1249 not limited to, the producer of the pesticide, requiring the short-term
1250 and long-term provision of potable drinking water in accordance with
1251 said subsection (a). The commissioner shall not issue an order under
1252 said subsection (a) to a person engaged in agriculture who did not
1253 maintain the records identified under section 22a-471a if said
1254 commissioner finds such records are not relevant to a determination of
1255 the party responsible for pollution of the groundwaters. If the
1256 commissioner is unable to determine the responsible person, [he] the

1257 commissioner may issue such order to the municipality wherein
1258 groundwaters unusable for potable drinking water are located.

1259 (2) If the commissioner determines that a person engaged in
1260 agriculture has caused or can reasonably be expected to cause
1261 pollution of the groundwaters by pesticides, [he] the commissioner
1262 may cause such person to submit to the commissioner and, upon
1263 approval by the commissioner, implement a plan to minimize the
1264 potential for groundwater contamination from the storage, handling
1265 and disposal of pesticides at the locations where such person engaged
1266 in agriculture.

1267 (3) For the purposes of this subsection, a pesticide is properly
1268 applied if at the time of the application the pesticide was licensed by or
1269 registered with the state and federal government and was applied in a
1270 manner consistent with (A) the labeling of the pesticide, as defined in
1271 section 22a-47, (B) applicable state and federal statutes and regulations
1272 at the time of the application, (C) any approvals or recommendations
1273 of the federal, state or local government, including any limitations,
1274 warnings or conditions of such approvals or recommendations, and
1275 (D) generally accepted agricultural management practices at the time
1276 of application, considering any special geological, hydrological or soil
1277 conditions of which the farmer was aware or reasonably should have
1278 been aware.

1279 (4) Any municipality which receives an order pursuant to
1280 subdivision (1) of this subsection shall be eligible for a grant from the
1281 state in accordance with subparagraph (1) of subsection (b) of this
1282 section.

1283 (5) The provisions of this subsection shall apply to pollution of the
1284 groundwaters by pesticides discovered on or after May 26, 1988. All
1285 orders issued pursuant to this section by the commissioner prior to
1286 May 26, 1988, shall remain in effect unless the orders are otherwise
1287 revoked, amended or modified by said commissioner.

1288 (6) Nothing in this subsection, section 22a-471a or section 22a-471b
1289 shall affect or limit any right of action of an individual against any
1290 person engaged in agriculture for injury to person or property
1291 resulting from the use of a pesticide.

1292 (7) For purposes of this subsection, "pesticide" shall have the same
1293 meaning as specified in section 22a-47.

1294 Sec. 15. Section 12-170d of the general statutes is repealed and the
1295 following is substituted in lieu thereof (*Effective July 1, 2013*):

1296 (a) Beginning with the calendar year 1973 and for each calendar
1297 year thereafter any renter of real property, or of a mobile
1298 manufactured home, as defined in section 12-63a, which he occupies as
1299 his home, who meets the qualifications set forth in this section, shall be
1300 entitled to receive in the following year in the form of direct payment
1301 from the state, a grant in refund of utility and rent bills actually paid
1302 by or for him on such real property or mobile manufactured home to
1303 the extent set forth in section 12-170e. Such grant by the state shall be
1304 made upon receipt by the state of a certificate of grant with a copy of
1305 the application therefor attached, as provided in section 12-170f,
1306 provided such application shall be made within one year from the
1307 close of the calendar year for which the grant is requested. If the rental
1308 quarters are occupied by more than one person, it shall be assumed for
1309 the purposes of this section and sections 12-170e and 12-170f that each
1310 of such persons pays his proportionate share of the rental and utility
1311 expenses levied thereon and grants shall be calculated on that portion
1312 of utility and rent bills paid that are applicable to the person making
1313 application for grant under said sections. For purposes of this section
1314 and said sections 12-170e and 12-170f a husband and wife shall
1315 constitute one tenant, and a resident of cooperative housing shall be a
1316 renter. To qualify for such payment by the state, the renter shall meet
1317 qualification requirements in accordance with each of the following
1318 subdivisions: (1) (A) At the close of the calendar year for which a grant
1319 is claimed be sixty-five years of age or over, or his spouse who is

1320 residing with him shall be sixty-five years of age or over, at the close of
1321 such year, or be fifty years of age or over and the surviving spouse of a
1322 renter who at the time of his death had qualified and was entitled to
1323 tax relief under this chapter, provided such spouse was domiciled with
1324 such renter at the time of his death or (B) at the close of the calendar
1325 year for which a grant is claimed be under age sixty-five and eligible in
1326 accordance with applicable federal regulations, to receive permanent
1327 total disability benefits under Social Security, or if he has not been
1328 engaged in employment covered by Social Security and accordingly
1329 has not qualified for benefits thereunder but has become qualified for
1330 permanent total disability benefits under any federal, state or local
1331 government retirement or disability plan, including the Railroad
1332 Retirement Act and any government-related teacher's retirement plan,
1333 determined by the Secretary of the Office of Policy and Management to
1334 contain requirements in respect to qualification for such permanent
1335 total disability benefits which are comparable to such requirements
1336 under Social Security; (2) shall reside within this state and shall have
1337 resided within this state for at least one year or his spouse who is
1338 domiciled with him shall have resided within this state for at least one
1339 year and shall reside within this state at the time of filing the claim and
1340 shall have resided within this state for the period for which claim is
1341 made; (3) shall have taxable and nontaxable income, the total of which
1342 shall hereinafter be called "qualifying income", during the calendar
1343 year preceding the filing of his claim in an amount of not more than
1344 twenty thousand dollars, jointly with spouse, if married, and not more
1345 than sixteen thousand two hundred dollars if unmarried, provided
1346 such maximum amounts of qualifying income shall be subject to
1347 adjustment in accordance with subdivision (2) of subsection (a) of
1348 section 12-170e, and provided the amount of any Medicaid payments
1349 made on behalf of the renter or the spouse of the renter shall not
1350 constitute income; and (4) shall not have received financial aid or
1351 subsidy from federal, state, county or municipal funds, excluding
1352 Social Security receipts, emergency energy assistance under any state
1353 program, emergency energy assistance under any federal program,

1354 emergency energy assistance under any local program, payments
1355 received under the federal Supplemental Security Income Program,
1356 payments derived from previous employment, veterans and veterans
1357 disability benefits and subsidized housing accommodations, during
1358 the calendar year for which a grant is claimed, for payment, directly or
1359 indirectly, of rent, electricity, gas, water and fuel applicable to the
1360 rented residence. Notwithstanding the provisions of subdivision (4) of
1361 this subsection, a renter who receives cash assistance from the
1362 Department of Social Services in the calendar year prior to that in
1363 which such renter files an application for a grant may be entitled to
1364 receive such grant provided the amount of the cash assistance received
1365 shall be deducted from the amount of such grant and the difference
1366 between the amount of the cash assistance and the amount of the grant
1367 is equal to or greater than ten dollars. Funds attributable to such
1368 reductions shall be transferred annually from the appropriation to the
1369 Office of Policy and Management, for tax relief for elderly renters, to
1370 the Department of Social Services, to the appropriate accounts,
1371 following the issuance of such grants. Notwithstanding the provisions
1372 of subsection (b) of section 12-170aa, the owner of a mobile
1373 manufactured home may elect to receive benefits under section
1374 12-170e in lieu of benefits under said section 12-170aa.

1375 (b) For purposes of determining qualifying income under subsection
1376 (a) of this section with respect to a married renter who submits an
1377 application for a grant in accordance with sections 12-170d to 12-170g,
1378 inclusive, the Social Security income of the spouse of such renter shall
1379 not be included in the qualifying income of such renter, for purposes
1380 of determining eligibility for benefits under said sections, if such
1381 spouse is a resident of a health care or nursing home facility in this
1382 state receiving payment related to such spouse under the Title XIX
1383 Medicaid program. An applicant who is legally separated pursuant to
1384 the provisions of section 46b-40, as of the thirty-first day of December
1385 preceding the date on which such person files an application for a
1386 grant in accordance with sections 12-170d to 12-170g, inclusive, may

1387 apply as an unmarried person and shall be regarded as such for
1388 purposes of determining qualifying income under subsection (a) of this
1389 section.

1390 (c) Effective July 1, 2013, no new applicants shall be entitled to
1391 receive grants under this program, except that if a married applicant
1392 has applied for such grant before said date, such applicant's spouse
1393 shall also remain eligible for such grant.

1394 Sec. 16. Section 49-41 of the general statutes is repealed and the
1395 following is substituted in lieu thereof (*Effective July 1, 2013*):

1396 (a) Each contract exceeding one hundred thousand dollars in
1397 amount for the construction, alteration or repair of any public building
1398 or public work of the state or a municipality shall include a provision
1399 that the person to perform the contract shall furnish to the state or
1400 municipality on or before the award date, a bond in the amount of the
1401 contract which shall be binding upon the award of the contract to that
1402 person, with a surety or sureties satisfactory to the officer awarding
1403 the contract, for the protection of persons supplying labor or materials
1404 in the prosecution of the work provided for in the contract for the use
1405 of each such person, provided no such bond shall be required to be
1406 furnished (1) in relation to any general bid in which the total estimated
1407 cost of labor and materials under the contract with respect to which
1408 such general bid is submitted is less than one hundred thousand
1409 dollars, (2) in relation to any sub-bid in which the total estimated cost
1410 of labor and materials under the contract with respect to which such
1411 sub-bid is submitted is less than one hundred thousand dollars, or (3)
1412 in relation to any general bid or sub-bid submitted by a consultant, as
1413 defined in section 4b-55. Any such bond furnished shall have as
1414 principal the name of the person awarded the contract.

1415 (b) Nothing in this section or sections 49-41a to 49-43, inclusive,
1416 shall be construed to limit the authority of any contracting officer to
1417 require a performance bond or other security in addition to the bond

1418 referred to in subsection (a) of this section, except that no such officer
1419 shall require a performance bond in relation to any general bid in
1420 which the total estimated cost of labor and materials under the contract
1421 with respect to which such general bid is submitted is less than
1422 twenty-five thousand dollars or in relation to any sub-bid in which the
1423 total estimated cost of labor and materials under the contract with
1424 respect to which such sub-bid is submitted is less than fifty thousand
1425 dollars.

1426 (c) No contract for the construction, alteration or repair of any
1427 public building or public work of the state or a municipality that
1428 requires a person to supply the state or municipality with a bond may
1429 include a provision that requires the person to obtain the bond from a
1430 specific surety, agent, broker or producer. No contracting officer may
1431 require that a bond be obtained from a specific surety, agent, broker or
1432 producer.

1433 (d) In the event that any political subdivision of the state enters into
1434 a contract described in subsection (a) of this section and fails to obtain
1435 delivery from the contractor of the bond required by this section, any
1436 person who has not been paid by the contractor for labor or materials
1437 supplied in the performance of work under the contract shall have the
1438 same legal right of action against such political subdivision of the state
1439 as such person would have had against a surety under the provisions
1440 of section 49-42. Nothing in this section shall be construed to extend
1441 liability to the state for any person's right to payment or constitute a
1442 waiver of the state's sovereign immunity.

1443 (e) (1) As used in this subsection, "owner-controlled insurance
1444 program" means an insurance procurement program under which a
1445 principal provides and consolidates insurance coverage for one or
1446 more contractors on one or more [construction] projects for the
1447 construction, alteration or repair of any public building or public work
1448 of the state or a municipality.

1449 [(2) No contract for the construction, alteration or repair of any
1450 public building or public work of the state or a municipality may
1451 include a provision that allows or requires the state or municipality to
1452 maintain an owner-controlled insurance program, except for (A) a
1453 project approved pursuant to section 10a-109e, or (B) one or more
1454 municipal projects totaling one hundred million dollars or more (i)
1455 under the supervision of one construction manager, or (ii) located
1456 within the boundaries of a municipality if under the supervision of
1457 more than one construction manager.]

1458 [(3)] (2) Each contract or policy of insurance issued under an owner-
1459 controlled insurance program pursuant to this subsection shall provide
1460 that:

1461 (A) Coverage for work performed and materials furnished shall
1462 continue from the completion of the work until the date all causes of
1463 action are barred under any applicable statute of limitations.

1464 (B) Any notice of a change in coverage under the contract or policy
1465 or of a cancellation or refusal to renew the coverage under the contract
1466 or policy shall be provided to the principal and all contractors covered
1467 under the program.

1468 (C) The effective date of a (i) change in coverage under the contract
1469 or policy shall be at least thirty days after the date the principal and
1470 contractors receive the notice of change in coverage as required under
1471 subparagraph (B) of this subdivision, and (ii) cancellation or refusal to
1472 renew shall be at least sixty days after the principal and contractors
1473 receive the notice of change in coverage as required under
1474 subparagraph (B) of this subdivision.

1475 [(4) Each principal or contractor shall disclose in the project plans or
1476 specifications at the time the principal or contractor is soliciting bids
1477 for the construction project that the project will be covered by an
1478 owner-controlled insurance program.]

1479 (f) Whenever a surety bond is required in connection with a contract
1480 for the construction, reconstruction, alteration, remodeling, repair or
1481 demolition of any public building for work by the state or a
1482 municipality, that is estimated to cost more than five hundred
1483 thousand dollars and is paid for, in whole or in part, with state funds,
1484 the surety contract between the contractor named as principal in the
1485 bond and the surety that issues such bond shall contain the following
1486 provision: "In the event that the surety assumes the contract or obtains
1487 a bid or bids for completion of the contract, the surety shall ensure that
1488 the contractor chosen to complete the contract is prequalified pursuant
1489 to section 4a-100, as amended by this act, of the Connecticut general
1490 statutes in the requisite classification and has the aggregate work
1491 capacity rating and single project limit necessary to complete the
1492 contract".

1493 Sec. 17. Section 31-2d of the general statutes is repealed and the
1494 following is substituted in lieu thereof (*Effective July 1, 2013*):

1495 Any order or regulation of the Office of Workforce Competitiveness
1496 affecting the functions, powers, duties and obligations set forth in this
1497 section and sections 4-124w, 4-124z, 4-124bb, 4-124ff, 4-124gg, 4-124hh,
1498 4-124tt [, 4-124uu] and 4-124vv which is in force on July 1, 2011, shall
1499 continue in force and effect as an order or regulation of the Labor
1500 Department until amended, repealed or superseded pursuant to law.
1501 Where any orders or regulations of said office and said department
1502 conflict, the Labor Commissioner may implement policies and
1503 procedures consistent with the provisions of this section and sections
1504 4-124w, 4-124z, 4-124bb, 4-124ff, 4-124gg, 4-124hh, 4-124tt, [4-124uu,] 4-
1505 124vv, 10-95h, 10a-11b, 10a-19d, 31-3h, 31-3k, 31-11cc and 31-11dd
1506 while in the process of adopting the policy or procedure in regulation
1507 form, provided notice of intention to adopt regulations is printed in
1508 the Connecticut Law Journal not later than twenty days after
1509 implementation. The policy or procedure shall be valid until the time
1510 final regulations are effective.

1511 Sec. 18. Section 4b-1b of the general statutes is repealed and the
1512 following is substituted in lieu thereof (*Effective July 1, 2013*):

1513 [(a) There is established a Department of Construction Services. The
1514 department head shall be the Commissioner of Construction Services,
1515 who shall be appointed by the Governor, in accordance with the
1516 provisions of sections 4-5 to 4-8, inclusive, with the powers and duties
1517 prescribed in sections 4-5 to 4-8, inclusive.]

1518 [(b)] (a) The Department of Construction Services shall constitute a
1519 successor department to the Department of Public Works in
1520 accordance with the provisions of sections 4-38d, 4-38e and 4-39 with
1521 respect to those duties and functions of the Department of Public
1522 Works concerning construction and construction management
1523 pursuant to any provision of the general statutes.

1524 [(c)] (b) The Department of Construction Services shall constitute a
1525 successor department to the Department of Public Safety with respect
1526 to the Division of Fire, Emergency and Building Services within the
1527 Department of Public Safety, except the portion of said division
1528 concerning emergency services, in accordance with the provisions of
1529 sections 4-38d, 4-38e and 4-39.

1530 [(d)] (c) The Department of Construction Services shall constitute a
1531 successor department to the Department of Education in accordance
1532 with the provisions of sections 4-38d, 4-38e and 4-39 with respect to the
1533 issuance of school construction grants in accordance with chapter 173.
1534 On and after July 1, 2011, any regulation of the State Board of
1535 Education adopted pursuant to chapter 173 shall continue in force and
1536 effect until the Commissioner of Education, in consultation with the
1537 Commissioner of Construction Services, determines which regulations
1538 need to be transferred to the Department of Construction Services in
1539 accordance with chapter 54 and either the Department of Construction
1540 Services or the State Board of Education amends such regulations to
1541 effect such transfer. Where any order or regulation of said departments

1542 conflict, the Commissioner of Construction Services or the
1543 Commissioner of Education may implement policies or procedures
1544 consistent with the provisions of chapter 173 while in the process of
1545 adopting such policies or procedures in regulation form, provided
1546 notice of intent to adopt such regulations is printed in the Connecticut
1547 Law Journal not later than twenty days after implementation. Any
1548 such policies or procedures shall be valid until the time final
1549 regulations are adopted.

1550 [(e) Where any order or regulation of the Department of Public
1551 Works concerning construction or construction management or the
1552 Department of Public Safety, pursuant to chapter 541, conflict, the
1553 Commissioner of Construction Services may implement policies and
1554 procedures consistent with the provisions of this act while in the
1555 process of adopting the policies or procedures in regulation form,
1556 provided notice of intention to adopt regulations is printed in the
1557 Connecticut Law Journal not later than twenty days after
1558 implementation. Any such policies or procedures shall be valid until
1559 the time final regulations are effective.

1560 (f) The commissioner may, within available appropriations, employ
1561 any other personnel that may be necessary in the performance of the
1562 department's functions.

1563 (g) The commissioner may enter into contracts for the furnishing by
1564 any person or agency, public or private, of services necessary for the
1565 proper execution of the duties of the department. Any such contract
1566 that has a cost of three thousand dollars or more shall be subject to the
1567 approval of the Attorney General.

1568 (h) The commissioner may perform any other acts that may be
1569 necessary and appropriate to carry out the functions of the department
1570 as set forth in this section.]

1571 (d) All powers and duties transferred to the Department of
1572 Construction Services by this section are transferred to the Department

1573 of Administrative Services, in accordance with the provisions of
1574 section 4-38d, 4-38e and 4-39.

1575 Sec. 19. Section 4a-1 of the general statutes is repealed and the
1576 following is substituted in lieu thereof (*Effective July 1, 2013*):

1577 (a) There shall be a Department of Administrative Services. The
1578 department head shall be the Commissioner of Administrative
1579 Services, who shall be appointed by the Governor in accordance with
1580 the provisions of sections 4-5, 4-6, 4-7 and 4-8, as amended by this act,
1581 with the powers and the duties therein prescribed.

1582 (b) The Department of Administrative Services shall constitute a
1583 successor department to the Department of Public Works, except those
1584 duties relating to construction and construction management, in
1585 accordance with the provisions of sections 4-38d, 4-38e and 4-39.
1586 Where any order or regulation of said departments conflict, the
1587 Commissioner of Administrative Services may implement policies or
1588 procedures consistent with the provisions of this title and title 4b while
1589 in the process of adopting such policies or procedures in regulation
1590 form, provided notice of intent to adopt such regulations is printed in
1591 the Connecticut Law Journal not later than twenty days after
1592 implementation. Any such policies or procedures shall be valid until
1593 the time final regulations are adopted.

1594 (c) The Department of Administrative Services shall constitute a
1595 successor department to the Department of Information Technology in
1596 accordance with the provisions of sections 4-38d, 4-38e and 4-39.
1597 Where any order or regulation of said departments conflict, the
1598 Commissioner of Administrative Services may implement policies or
1599 procedures consistent with the provisions of title 4d while in the
1600 process of adopting such policies or procedures in regulation form,
1601 provided notice of intent to adopt such regulations is printed in the
1602 Connecticut Law Journal not later than twenty days after
1603 implementation. Any such policies or procedures shall be valid until

1604 the time final regulations are adopted.

1605 (d) The Department of Administrative Services shall constitute a
1606 successor department to the Department of Construction Services in
1607 accordance with the provisions of sections 4-38d, 4-38e, 4-39 and 4b-1b,
1608 as amended by this act. Where any order or regulation of said
1609 departments conflict, the Commissioner of Administrative Services
1610 may implement policies or procedures consistent with the provisions
1611 of title 4d while in the process of adopting such policies or procedures
1612 in regulation form, provided notice of intent to adopt such regulations
1613 is printed in the Connecticut Law Journal not later than twenty days
1614 after implementation. Any such policies or procedures shall be valid
1615 until the time final regulations are adopted.

1616 Sec. 20. Section 4a-2 of the general statutes is repealed and the
1617 following is substituted in lieu thereof (*Effective July 1, 2013*):

1618 (a) The Commissioner of Administrative Services shall have the
1619 following general duties and responsibilities:

1620 (1) [The establishment of personnel policy and responsibility for the
1621 personnel administration of state employees] Oversight of state
1622 workers' compensation claims;

1623 (2) The purchase and provision of supplies, materials, equipment
1624 and contractual services, as defined in section 4a-50;

1625 (3) The publishing, printing or purchasing of laws, stationery, forms
1626 and reports;

1627 (4) The collection of sums due the state for public assistance;

1628 (5) The purchase and contracting for information systems and
1629 telecommunication system facilities, equipment and services for state
1630 agencies, in accordance with chapter 61;

1631 (6) The purchase, sale, lease, sublease and acquisition of property

1632 and space to house state agencies and the construction, maintenance
1633 and development of such property, in accordance with chapters 59 and
1634 60;

1635 (7) Subject to the provisions of section 4b-21, the sale or exchange of
1636 any land or interest in land belonging to the state;

1637 (8) The supervision of the care and control of building and grounds
1638 owned or leased by the state in Hartford, except (A) the buildings and
1639 grounds of the State Capitol and the Legislative Office Building and
1640 parking garage and related structures and facilities and grounds, as
1641 provided in section 2-71h, (B) any property of the Connecticut
1642 Marketing Authority, and (C) property under the supervision of the
1643 Office of the Chief Court Administrator as provided in section 4b-11;
1644 and

1645 (9) The establishing and maintaining of security standards for all
1646 facilities housing the offices and equipment of the state except (A)
1647 Department of Transportation mass transit, marine and aviation
1648 facilities, (B) the State Capitol and Legislative Office Building and
1649 related facilities, (C) facilities under the care and control of The
1650 University of Connecticut or other constituent units of the state system
1651 of higher education, (D) Judicial Department facilities, (E) Department
1652 of Emergency Services and Public Protection facilities, (F) Military
1653 Department facilities, (G) Department of Correction facilities, (H)
1654 Department of Children and Families client-occupied facilities, (I)
1655 facilities occupied by the Governor, Lieutenant Governor, Attorney
1656 General, Comptroller, Secretary of the State and Treasurer, and (J)
1657 facilities occupied by the Board of Pardons and Paroles. As used in this
1658 subdivision, "security" has the same meaning as provided in section
1659 4b-30.

1660 (b) Notwithstanding any other provision of the general statutes, the
1661 commissioner may supervise the care and control of (1) any state-
1662 owned or leased office building, and related buildings and grounds,

1663 outside the city of Hartford, used as district offices, except any state-
1664 owned or leased office building, and such buildings and grounds, used
1665 by the Judicial Department or The University of Connecticut, and (2)
1666 any other state-owned or leased property, other than property of The
1667 University of Connecticut, on a temporary or permanent basis, if the
1668 commissioner, the Secretary of the Office of Policy and Management
1669 and the executive head of the department or agency supervising the
1670 care and control of such property agree, in writing, to such
1671 supervision.

1672 (c) Subject to the provisions of chapter 67, the Commissioner of
1673 Administrative Services may appoint such employees as are necessary
1674 for carrying out the duties prescribed to said commissioner by the
1675 general statutes.

1676 Sec. 21. Section 4-5 of the general statutes is repealed and the
1677 following is substituted in lieu thereof (*Effective July 1, 2013*):

1678 As used in sections 4-6, 4-7 and 4-8, the term "department head"
1679 means Secretary of the Office of Policy and Management,
1680 Commissioner of Administrative Services, Commissioner of Revenue
1681 Services, Banking Commissioner, Commissioner of Children and
1682 Families, [Commissioner of Construction Services,] Commissioner of
1683 Consumer Protection, Commissioner of Correction, Commissioner of
1684 Economic and Community Development, State Board of Education,
1685 Commissioner of Emergency Services and Public Protection,
1686 Commissioner of Energy and Environmental Protection,
1687 Commissioner of Agriculture, Commissioner of Public Health,
1688 Insurance Commissioner, Labor Commissioner, Liquor Control
1689 Commission, Commissioner of Mental Health and Addiction Services,
1690 Commissioner of Social Services, Commissioner of Developmental
1691 Services, Commissioner of Motor Vehicles, Commissioner of
1692 Transportation, Commissioner of Veterans' Affairs, Commissioner of
1693 Housing, Commissioner of Rehabilitation Services and the executive
1694 director of the Office of Military Affairs. As used in sections 4-6 and 4-

1695 7, "department head" also means the Commissioner of Education and
1696 the president of the Board of Regents for Higher Education.

1697 Sec. 22. Section 4-38c of the general statutes is repealed and the
1698 following is substituted in lieu thereof (*Effective July 1, 2013*):

1699 There shall be within the executive branch of state government the
1700 following departments: Office of Policy and Management, Department
1701 of Administrative Services, Department of Revenue Services,
1702 Department of Banking, Department of Agriculture, Department of
1703 Children and Families, Department of Consumer Protection,
1704 Department of Correction, Department of Economic and Community
1705 Development, State Board of Education, Department of Emergency
1706 Services and Public Protection, Department of Energy and
1707 Environmental Protection, Department of Public Health, Board of
1708 Regents for Higher Education, Insurance Department, Labor
1709 Department, Department of Mental Health and Addiction Services,
1710 Department of Developmental Services, Department of Social Services,
1711 Department of Transportation, Department of Motor Vehicles [.] and
1712 Department of Veterans' Affairs. [and Department of Construction
1713 Services.]

1714 Sec. 23. Section 4a-1a of the general statutes is repealed and the
1715 following is substituted in lieu thereof (*Effective July 1, 2013*):

1716 (a) (1) Wherever the term "Commissioner of Public Works" or
1717 "Public Works Commissioner" is used in the following sections of the
1718 general statutes, the term "Commissioner of Administrative Services"
1719 shall be substituted in lieu thereof; and (2) wherever the term
1720 "Department of Public Works" is used in the following sections of the
1721 general statutes, the term "Department of Administrative Services"
1722 shall be substituted in lieu thereof: 1-205, 1-210, 2-71h, 3-10, 3-14b, 4-87,
1723 4b-2, 4b-4, 4b-12, 4b-13, 4b-17, 4b-21, 4b-24a, 4b-25, 4b-27, 4b-29, 4b-30,
1724 4b-30a, 4b-33, 4b-34, 4b-35, 4b-46, 4b-65, 4b-67, 4b-68, 4b-69, 4b-71, 4b-
1725 72, 4b-73, 4b-74, 4b-130, 4b-132, 8-37y, 10a-89, 10a-150, 13a-80i, 13b-42,

1726 13b-55, 16a-38h, 17b-655, 18-31b, 20-68, 20-311b, 20-503, 22a-324, 31-
1727 250, 32-6, 32-228, 45a-80, 46a-29, 51-27a, 51-27c, 51-27d, 51-51k and 51-
1728 279.

1729 (b) (1) Wherever the term "Commissioner of Construction Services"
1730 is used in the following sections of the general statutes, the term
1731 "Commissioner of Administrative Services" shall be substituted in lieu
1732 thereof; and (2) wherever the term "Department of Construction
1733 Services" is used in the following sections of the general statutes, the
1734 term "Department of Administrative Services" shall be substituted in
1735 lieu thereof: 3-20, 3-21d, 4-61, 4-89, 4b-1a, 4b-16, 4b-22a, 4b-24b, 4b-51,
1736 4b-51a, 4b-53, 4b-54, 4b-55a, 4b-60, 4b-63, 4b-70, 4b-100, 4b-100a, 4b-
1737 102, 4b-103, 4b-133, 4b-134, 5-198, 7-323p, 10-220, 10-282, 10-283, 10-
1738 284, 10-285d, 10-285e, 10-285g, 10-286, 10-286d, 10-286e, 10-286g, 10-
1739 286h, 10-287, 10-287c, 10-287i, 10-289h, 10-290a, 10-290b, 10-290e, 10-
1740 290f, 10-291, 10-291a, 10-292q, 10a-109ff, 13b-20n, 15-120qq, 16a-37v,
1741 16a-38, 16a-38a, 16a-38b, 16a-38d, 16a-38i, 16a-38j, 16a-38k, 16a-38l,
1742 16a-39, 17a-27, 17a-27d, 17a-154, 17a-451b, 17b-739, 20-330, 21a-86f, 22-
1743 64, 22a-6, 22a-12, 22a-439a, 22a-459, 26-3, 27-45, 27-131, 29-109, 29-117,
1744 29-127, 29-191, 29-192, 29-199, 29-200, 29-204, 29-221, 29-221 as
1745 amended by section 2 of public act 12-199, 29-222, 29-224b, 29-234, 29-
1746 235, 29-236, 29-237, 29-238, 29-239, 29-240, 29-244, 29-250, 29-251, 29-
1747 251a, 29-251b, 29-251c, 29-252, 29-252a, 29-254b, 29-256, 29-256a, 29-
1748 256b, 29-258, 29-261, 29-262, 29-262a, 29-263, 29-269a, 29-291, 29-298a,
1749 29-313, 29-315, 29-315c, 29-317, 29-317, as amended by section 7 of
1750 public act 09-177, sections 1 and 6 of public act 10-54, section 90 of
1751 public act 11-51 and sections 3 and 4 of public act 12-60, 29-319, 29-320,
1752 29-320, as amended by section 8 of public act 09-177, sections 2 and 6 of
1753 public act 10-54, section 90 of public act 11-51 and sections 3 and 4 of
1754 public act 12-60, 29-321, 29-325, 29-331, 29-331, as amended by section
1755 14 of public act 09-177, section 6 of public act 10-54, section 90 of public
1756 act 11-51 and sections 3 and 4 of public act 12-60, 29-333, 29-337, 29-
1757 337, as amended by section 15 of public act 09-177, section 6 of public
1758 act 10-54, section 90 of public act 11-51 and sections 3 and 4 of public

1759 act 12-60, 29-338, 29-344, 29-345, 29-346, 29-349, 29-355, 29-359, 29-367,
1760 29-367, as amended by section 18 of public act 09-177, sections 4 and 6
1761 of public act 10-54, section 90 of public act 11-51 and sections 3 and 4 of
1762 public act 12-60, 29-401, 29-402, 29-403, 31-57, 32-612, 32-613, 32-655a,
1763 32-656 and 49-41b.

1764 (c) Wherever the term "Department of Construction Services" is
1765 used or referred to in any public or special act of 2013, or in any section
1766 of the general statutes which is amended in 2013, "Department of
1767 Administrative Services" shall be substituted in lieu thereof.

1768 (d) Wherever the term "Commissioner of Construction Services" is
1769 used or referred to in any public or special act of 2013, or in any section
1770 of the general statutes which is amended in 2013, "Commissioner of
1771 Administrative Services" shall be substituted in lieu thereof.

1772 [(b)] (e) The Legislative Commissioners' Office shall, in codifying
1773 the provisions of this section, make such technical, grammatical and
1774 punctuation changes as are necessary to carry out the purposes of this
1775 section.

1776 Sec. 24. Subsection (a) of section 4-256 of the general statutes is
1777 repealed and the following is substituted in lieu thereof (*Effective July*
1778 *1, 2013*):

1779 (a) On and after October 27, 2011, and prior to January 1, 2015, the
1780 Governor shall approve not more than five projects to be implemented
1781 as public-private partnership projects. The Governor shall not approve
1782 any such project unless the Governor finds that the project will result
1783 in job creation and economic growth. Any agency seeking to establish
1784 a public-private partnership shall, after consultation with the
1785 Commissioners of Economic and Community Development,
1786 [Construction Services] Administrative Services and Transportation,
1787 the State Treasurer and the Secretary of the Office of Policy and
1788 Management, submit one or more projects to the Governor for
1789 approval.

1790 Sec. 25. Subsection (a) of section 4a-57d of the general statutes is
1791 repealed and the following is substituted in lieu thereof (*Effective July*
1792 *1, 2013*):

1793 (a) On or before January 1, 2012, the Commissioner of
1794 Administrative Services, in consultation with the Labor Commissioner,
1795 the president of The University of Connecticut and the
1796 [Commissioners of Construction Services and] Commissioner of
1797 Transportation, or their designees, shall submit a report, in accordance
1798 with the provisions of section 11-4a, to the Governor and the joint
1799 standing committee of the General Assembly having cognizance of
1800 matters relating to labor. Such report shall include (1) an analysis of
1801 any law or economic factor that results in a resident bidder being at a
1802 disadvantage to a nonresident bidder in submitting the lowest
1803 responsible qualified bid, (2) the reason any enacted law designed to
1804 give preference to state citizens for employment on public works
1805 projects is not being enforced, and (3) recommendations for
1806 administrative or legislative action, within the confines of clause 3 of
1807 section 8 of article 1 of the United States Constitution, to increase the
1808 number of state contracts awarded to resident bidders through an in-
1809 state contract preference or otherwise.

1810 Sec. 26. Subsection (b) of section 4a-62 of the general statutes is
1811 repealed and the following is substituted in lieu thereof (*Effective July*
1812 *1, 2013*):

1813 (b) The committee may request any agency of the state authorized to
1814 award public works contracts or to enter into purchase of goods or
1815 services contracts to submit such information on compliance with
1816 sections 4a-60 and 4a-60g and at such times as the committee may
1817 require. The committee shall consult with the Departments of
1818 Administrative Services, [Construction Services,] Transportation and
1819 Economic and Community Development and the Commission on
1820 Human Rights and Opportunities concerning compliance with the
1821 state programs for minority business enterprises. The committee shall

1822 report annually on or before February first to the Joint Committee on
1823 Legislative Management on the results of its ongoing study and
1824 include its recommendations, if any, for legislation.

1825 Sec. 27. Subsections (k) and (l) of section 4a-100 of the general
1826 statutes are repealed and the following is substituted in lieu thereof
1827 (*Effective July 1, 2013*):

1828 (k) (1) Any substantial evidence of fraud in obtaining or
1829 maintaining prequalification or any materially false statement in the
1830 application, update statement or update bid statement may, in the
1831 discretion of the awarding authority, result in termination of any
1832 contract awarded the contractor by the awarding authority. The
1833 awarding authority shall provide written notice to the commissioner of
1834 such false statement not later than thirty days after discovering such
1835 false statement. The commissioner shall provide written notice of such
1836 false statement to the [Commissioner of Construction Services,] the
1837 Commissioner of Consumer Protection and the president of The
1838 University of Connecticut not later than thirty days after discovering
1839 such false statement or receiving such notice.

1840 (2) The commissioner shall deny or revoke the prequalification of
1841 any contractor or substantial subcontractor if the commissioner finds
1842 that the contractor or substantial subcontractor, or a principal or key
1843 personnel of such contractor or substantial contractor, within the past
1844 five years (A) has included any materially false statement in a
1845 prequalification application, update statement or update bid
1846 statement, (B) has been convicted of, entered a plea of guilty or nolo
1847 contendere for, or admitted to, a crime related to the procurement or
1848 performance of any public or private construction contract, or (C) has
1849 otherwise engaged in fraud in obtaining or maintaining
1850 prequalification. Any revocation made pursuant to this subsection
1851 shall be made only after an opportunity for a hearing. Any contractor
1852 or substantial subcontractor whose prequalification has been revoked
1853 pursuant to this subsection shall be disqualified for a period of two

1854 years after which the contractor or substantial subcontractor may
1855 reapply for prequalification, except that a contractor or substantial
1856 subcontractor whose prequalification has been revoked on the basis of
1857 conviction of a crime or engaging in fraud shall be disqualified for a
1858 period of five years after which the contractor or substantial
1859 subcontractor may reapply for prequalification. The commissioner
1860 shall not prequalify a contractor or substantial subcontractor whose
1861 prequalification has been revoked pursuant to this subdivision until
1862 the expiration of said two-year, five-year, or other applicable
1863 disqualification period and the commissioner is satisfied that the
1864 matters that gave rise to the revocation have been eliminated or
1865 remedied.

1866 (l) The commissioner shall provide written notice of any revocation,
1867 disqualification, reduction in classification or capacity rating or
1868 reinstated prequalification to [the Commissioner of Construction
1869 Services,] the Commissioner of Consumer Protection and the president
1870 of The University of Connecticut not later than thirty days after any
1871 final determination.

1872 Sec. 28. Subsection (d) of section 4b-3 of the general statutes is
1873 repealed and the following is substituted in lieu thereof (*Effective July*
1874 *1, 2013*):

1875 (d) Notwithstanding any other statute or special act to the contrary,
1876 the Commissioner of Administrative Services shall be the sole person
1877 authorized to represent the state in its dealings with third parties for
1878 the construction, development, acquisition or leasing of real estate for
1879 housing the offices or equipment of all agencies of the state or for the
1880 state-owned public buildings or realty, [and the Commissioner of
1881 Construction Services shall be the sole person authorized to represent
1882 the state in its dealings with third parties for the construction or
1883 development of real estate or state-owned public buildings or realty,]
1884 as provided for in sections 2-90, 4b-1 to 4b-5, inclusive, 4b-21, 4b-23, as
1885 amended by this act, 4b-24, as amended by this act, 4b-26, 4b-27, 4b-30

1886 and 4b-32, subsection (c) of section 4b-66 and sections 4b-67 to 4b-69,
1887 inclusive, 4b-71, 4b-72, [10-95, 10a-72, 10a-89, 10a-90,] 10a-114, 10a-130,
1888 10a-144, 17b-655, 22-64, 22a-324, 26-3, 27-45, 32-1c, 32-39, 48-9, 51-27d
1889 and 51-27f, except that (1) the Joint Committee on Legislative
1890 Management may represent the state in the planning and construction
1891 of the Legislative Office Building and related facilities, in Hartford; (2)
1892 the Chief Court Administrator may represent the state in providing for
1893 (A) space for the Court Support Services Division as part of a new or
1894 existing contract for an alternative incarceration program pursuant to
1895 section 54-103b or a program developed pursuant to section 46b-121i,
1896 46b-121j, 46b-121k or 46b-121l, or (B) other real estate needs of the
1897 Judicial Branch when delegated authority to do so by the
1898 Commissioner of Administrative Services; (3) [the board of trustees of
1899 a constituent unit of the state system of higher education may
1900 represent the state in the leasing of real estate for housing the offices or
1901 equipment of such constituent unit, provided no lease payments for
1902 such realty are made with funds generated from the general revenues
1903 of the state; (4)] the Labor Commissioner may represent the state in the
1904 leasing of premises required for employment security operations as
1905 provided in subsection (c) of section 31-250; [(5)] (4) the Commissioner
1906 of Developmental Services may represent the state in the leasing of
1907 residential property as part of the program developed pursuant to
1908 subsection (b) of section 17a-218, provided such residential property
1909 does not exceed two thousand five hundred square feet, for the
1910 community placement of persons eligible to receive residential services
1911 from the department; [(6)] (5) the Commissioner of Mental Health and
1912 Addiction Services may represent the state in the leasing of residential
1913 units as part of a program developed pursuant to section 17a-455a,
1914 provided each such residential unit does not exceed two thousand five
1915 hundred square feet; and [(7)] (6) the Connecticut Marketing Authority
1916 may represent the state in the leasing of land or markets under the
1917 control of the Connecticut Marketing Authority, and, except for the
1918 housing of offices or equipment in connection with the initial
1919 acquisition of an existing state mass transit system or the leasing of

1920 land by the Connecticut Marketing Authority for a term of one year or
1921 more in which cases the actions of the Department of Transportation
1922 and the Connecticut Marketing Authority shall be subject to the review
1923 and approval of the State Properties Review Board. The Commissioner
1924 of Administrative Services [shall have the power to] may establish and
1925 implement any procedures necessary for the commissioner to assume
1926 the commissioner's responsibilities as said sole bargaining agent for
1927 state realty acquisitions and shall perform the duties necessary to carry
1928 out such procedures. The Commissioner of Administrative Services [or
1929 the Commissioner of Construction Services] may appoint, within
1930 [each] the department's budget and subject to the provisions of chapter
1931 67, such personnel deemed necessary by the [applicable] commissioner
1932 to carry out the provisions [hereof] of this section, including experts in
1933 real estate, construction operations, financing, banking, contracting,
1934 architecture and engineering. The Attorney General's office, at the
1935 request of the Commissioner of Administrative Services, shall assist
1936 the [Commissioner of Administrative Services] commissioner in
1937 contract negotiations regarding the purchase, [or] lease or construction
1938 of real estate. [, and, at the request of the Commissioner of
1939 Construction Services, shall assist said commissioner in contract
1940 negotiations regarding the construction of real estate.]

1941 Sec. 29. Section 4b-23 of the general statutes is repealed and the
1942 following is substituted in lieu thereof (*Effective July 1, 2013*):

1943 (a) As used in this section, "facility" means buildings and real
1944 property owned or leased by the state. The Secretary of the Office of
1945 Policy and Management shall establish guidelines which further define
1946 such term. All agencies and departments of the state shall notify the
1947 Secretary of the Office of Policy and Management of their facility needs
1948 including, but not limited to, the types of such facilities and the
1949 municipalities or general location for the facilities. Each agency and
1950 department shall continue long-range planning for facility needs,
1951 establish a plan for its long-range facility needs and submit such plan
1952 and related facility project requests to the Secretary of the Office of

1953 Policy and Management, and a copy thereof to the Commissioner of
1954 Administrative Services, on or before September first of each even-
1955 numbered year. Each such request shall be accompanied by a capital
1956 development impact statement, as required by section 4-66b, and a
1957 colocation statement, as required by section 4b-31, if the secretary so
1958 requires. Each agency and department shall base its long-term
1959 planning for facility needs on a program plan. The secretary shall
1960 establish a content guide and schedule for such plans. Each agency and
1961 department shall prepare its program plan in accordance with such
1962 guide and file it with the secretary pursuant to such schedule. Facility
1963 plans shall include, but not be limited to: Identification of (1) long-term
1964 and short-term facility needs, (2) opportunities for the substitution of
1965 state-owned space for leased space, (3) facilities proposed for
1966 demolition or abandonment which have potential for other uses, (4)
1967 space modifications or relocations that could result in cost or energy
1968 savings, and (5) facilities known to be brownfields. Each agency or
1969 department program plan and facility plan and its facility project
1970 requests shall cover a period of at least five years. The secretary shall
1971 provide agencies and departments with instructions for preparing
1972 program plans, long-term facility plans and facility project requests
1973 and shall provide appropriate programmatic planning assistance. The
1974 [Commissioners] Commissioner of Administrative Services [and
1975 Construction Services] shall assist agencies and departments with
1976 long-term facilities planning and the preparation of cost estimates for
1977 such plans and requests. The Secretary of the Office of Policy and
1978 Management shall review such plans and prepare an integrated state
1979 facility plan which meets the aggregate facility needs of the state. The
1980 secretary shall review the cost effective retrofit measures
1981 recommended to [him] the secretary by the Commissioner of
1982 [Construction] Administrative Services under subsection (b) of section
1983 16a-38a, as amended by this act, and include in the plan those
1984 measures which would best attain the energy performance standards
1985 established under subdivision (1) of subsection (b) of section 16a-38, as
1986 amended by this act.

1987 (b) On or before December first of each even-numbered year, the
1988 Commissioner of Administrative Services shall provide the Secretary
1989 of the Office of Policy and Management with a review of the plans and
1990 requests submitted pursuant to subsection (a) of this section for
1991 consistency with realistic cost factors, space requirements, space
1992 standards, implementation schedules, priority needs, objectives of the
1993 Commissioner of Administrative Services in carrying out his or her
1994 responsibilities under section 4b-30 and the need for the maintenance,
1995 improvement and replacement of state facilities.

1996 (c) The Secretary of the Office of Policy and Management shall
1997 present a proposed state facility plan to the Properties Review Board
1998 on or before February fifteenth of each odd-numbered year. Such plan
1999 shall be known as the recommended state facility plan and shall
2000 include all leases and capital projects and a statement of the degree to
2001 which it promotes the colocation goals addressed in subsection (e) of
2002 section 4b-31. The secretary shall establish guidelines defining "capital
2003 projects". The Properties Review Board shall submit its
2004 recommendations to the secretary on or before March first of each odd-
2005 numbered year. The Properties Review Board recommendations shall
2006 address the goals described in subsection (e) of section 4b-31. The
2007 secretary shall present the recommended state facility plan to the
2008 General Assembly on or before March fifteenth of each odd-numbered
2009 year.

2010 (d) Upon the approval by the General Assembly of the operating
2011 and capital budget appropriations, the Secretary of the Office of Policy
2012 and Management shall update and modify the recommended state
2013 facility plan, which shall then be known as the state facility plan. The
2014 state facility plan shall be used as an advisory document for the leasing
2015 of property for use by state agencies and departments and for related
2016 capital projects.

2017 (e) Implementation of the state facility plan shall be the
2018 responsibility of the Commissioner of Administrative Services who

2019 shall conduct a study of each proposed facility in the plan to
2020 determine: (1) The method of choice for satisfying each such facility
2021 need, (2) the geographical areas best suited to such need, (3) the
2022 feasibility and cost of such acquisition using a life-cycle cost analysis as
2023 established by subdivision (2) of subsection (b) of section 16a-38, as
2024 amended by this act, (4) the degree to which the plan promotes the
2025 goals addressed in subsection (e) of section 4b-31, and (5) any other
2026 relevant factors. Said commissioner shall review and approve each
2027 facility plan implementation action and shall submit to the Properties
2028 Review Board a list of each such action approved and the method and
2029 plan by which it shall be accomplished. Said commissioner shall
2030 endeavor to locate human services agencies in the same buildings as
2031 municipal and private agencies that provide human services. The
2032 results of said commissioner's study along with all supportive
2033 materials shall be immediately sent to the Properties Review Board.
2034 The board shall meet to review the decision of the commissioner and
2035 may request the commissioner or any member of [his] the
2036 commissioner's department, and the head of the requesting agency or
2037 any of his or her employees to appear for the purpose of supplying
2038 pertinent information. Said board shall call a meeting [within] not later
2039 than two weeks [of] after the receipt of the commissioner's decision,
2040 and may meet as often as necessary, to review said decision. The
2041 board, [within] not later than ninety days after the receipt of the
2042 decision of the Commissioner of Administrative Services, shall either
2043 accept, reject or request modification of such decision, except that
2044 when more time is required, the board may have a ninety-day
2045 extension of time, provided the board shall advise the Commissioner
2046 of Administrative Services in writing as to the reasons for such
2047 extension of time. If such decision is disapproved by the board, it shall
2048 so inform the commissioner along with its reasons therefor, and the
2049 commissioner shall inform the head of the requesting agency and the
2050 Secretary of the Office of Policy and Management that its request has
2051 been rejected. If such decision is approved by the board it shall inform
2052 the commissioner of such approval and the commissioner shall

2053 immediately communicate his decision to the head or acting head of
2054 such governmental unit and to the Secretary of the Office of Policy and
2055 Management and shall set forth the procedures to be taken to
2056 accomplish the results of such decision. The decision to make public
2057 such decision shall rest solely with the Commissioner of
2058 Administrative Services both as to time and manner of disclosure, but
2059 in no event shall such period exceed one year. The commissioner shall,
2060 when he or she deems it to be in the public interest, authorize the
2061 disclosure of such information; however, in the absence of such
2062 authorization, any unauthorized disclosure shall be subject to the
2063 criminal provisions of section 4b-27. All decisions made by the
2064 commissioner under the provisions of this section shall require review
2065 by the board. Except as otherwise hereinafter provided, the approval
2066 or disapproval of the Properties Review Board shall be binding on the
2067 commissioner and the requesting agency with regard to the acquisition
2068 of any real estate by lease or otherwise, notwithstanding any other
2069 statute or special act to the contrary. A majority vote of the board shall
2070 be required to accept or reject a decision of the commissioner.

2071 (f) ~~[Within]~~ Not later than forty-five days ~~[from]~~ after the date of the
2072 board's decision regarding the request of a governmental unit, the
2073 head or acting head of such unit shall notify the Commissioner of
2074 Administrative Services (1) that it accepts ~~[his]~~ the commissioner's
2075 decision, (2) that it rejects ~~[his]~~ the commissioner's decision and
2076 withdraws its request, or (3) that it does not approve such decision and
2077 requests that all or part of such decision be modified by the
2078 commissioner. When such modification is requested, the
2079 Commissioner of Administrative Services shall, ~~[within]~~ not later than
2080 three weeks ~~[from]~~ after receipt of such request, consider and act upon
2081 such request for modification and submit his or her decision to the
2082 Properties Review Board. If the commissioner and the board fail to
2083 agree to such modification in whole or in part, the governmental unit
2084 may, ~~[within]~~ not later than ten days ~~[from]~~ after the date of
2085 notification of such final decision, accept the commissioner's final

2086 decision, reject such decision and withdraw its request, or appeal to
2087 the Governor. Upon such appeal, the Commissioner of Administrative
2088 Services shall submit a report to the Governor stating the board's
2089 conclusions and supporting material therefor and the governmental
2090 agency shall submit a report to the Governor stating its objections to
2091 such decision and its supporting material therefor. The Governor shall,
2092 [within] not later than thirty days [of] after the receipt of such reports,
2093 make a decision which shall be binding on the parties involved. In the
2094 absence of any such appeal or withdrawal of request, the decision of
2095 the commissioner and the board shall be final and binding upon the
2096 governmental unit.

2097 (g) After final action is taken approving any request or modification
2098 thereof, condemnation procedures shall continue to be prosecuted in
2099 the same manner as they were on July 1, 1975, by the agency involved,
2100 where such procedures are applicable and authorized by statute.

2101 (h) Approval by the Properties Review Board shall not be required
2102 prior to State Bond Commission authorization of funds (1) for
2103 planning costs and other preliminary expenses for any construction or
2104 acquisition project, or (2) for any construction or acquisition project for
2105 which an architect was selected prior to July 1, 1975.

2106 (i) As used in this subsection, (1) "project" means any state program,
2107 except the downtown Hartford higher education center project, as
2108 defined in subsection (l) of section 4b-55, as amended by this act, any
2109 school building project for the technical high school system and any
2110 construction project within the jurisdiction of the Board of Regents for
2111 Higher Education, requiring consultant services if the cost of such
2112 services is estimated to exceed one hundred thousand dollars [or, in
2113 the case of a constituent unit of the state system of higher education,
2114 the cost of such services is estimated to exceed three hundred
2115 thousand dollars,] or, in the case of a building or premises under the
2116 supervision of the Office of the Chief Court Administrator or property
2117 where the Judicial Department is the primary occupant, the cost of

2118 such services is estimated to exceed three hundred thousand dollars;
2119 (2) "consultant" means "consultant" as defined in section 4b-55, as
2120 amended by this act; and (3) "consultant services" means "consultant
2121 services" as defined in section 4b-55, as amended by this act. Any
2122 contracts entered into by the Commissioner of [Construction]
2123 Administrative Services with any consultants for employment (A) for
2124 any project under the provisions of this section, (B) in connection with
2125 a list established under subsection (d) of section 4b-51, as amended by
2126 this act, or (C) by task letter issued by the Commissioner of
2127 [Construction] Administrative Services to any consultant on such list
2128 pursuant to which the consultant will provide services valued in
2129 excess of one hundred thousand dollars, shall be subject to the
2130 approval of the Properties Review Board prior to the employment of
2131 [said] such consultant or consultants by the commissioner. The
2132 Properties Review Board shall, [within] not later than thirty days after
2133 receipt of such selection of or contract with any consultant, approve or
2134 disapprove the selection of or contract with any consultant made by
2135 the Commissioner of Construction Services pursuant to sections 4b-1
2136 and 4b-55 to 4b-59, inclusive, as amended by this act. If upon the
2137 expiration of the thirty-day period a decision has not been made, the
2138 Properties Review Board shall be deemed to have approved such
2139 selection or contract.

2140 (j) The Properties Review Board shall, [within] not later than thirty
2141 days after receipt, approve or disapprove the proposed acquisition by
2142 lease of any residential property by the Commissioner of
2143 Developmental Services pursuant to subsection (d) of section 4b-3, as
2144 amended by this act. If upon the expiration of such thirty-day period a
2145 decision has not been made, the Properties Review Board shall be
2146 deemed to have approved such lease.

2147 (k) Any agency or department of state government requiring
2148 additional facilities not included in the state facility plan may submit a
2149 request to the Secretary of the Office of Policy and Management
2150 outlining the justification for its request. The agency or department

2151 shall also provide (1) in the case of a request not previously submitted
2152 to the secretary pursuant to subsection (a) of this section, the reasons
2153 why it was not so submitted, and (2) in the case of a request so
2154 submitted, sufficient new information to warrant reconsideration. Such
2155 request shall include a statement of the degree to which the proposed
2156 state facility plan promotes the goals addressed in subsection (e) of
2157 section 4b-31, if the secretary so requires. Such request shall also be
2158 accompanied by a capital development impact statement as required
2159 under section 4-66b, if the secretary so requires. Subsections (b) to (d),
2160 inclusive, of this section shall not apply to the review of such requests.
2161 Any such request for additional facilities which are determined by the
2162 Secretary of the Office of Policy and Management to be of emergency
2163 nature or the lack of which may seriously hinder the efficient operation
2164 of the state, may be approved by the Properties Review Board and the
2165 Secretary of the Office of Policy and Management and shall be known
2166 as an approval made during the interim between state facility plans.
2167 No action may be taken by the state to lease or construct such
2168 additional facilities unless the secretary makes such a determination.

2169 (l) The Commissioner of Administrative Services shall monitor the
2170 amount of leased space being requested and the costs of all proposed
2171 and approved facility project actions and, in the case of space or
2172 facility projects for which bond funds were authorized, shall advise the
2173 Secretary of the Office of Policy and Management and the Governor
2174 when the space to be leased or the forecast costs to complete the
2175 project exceed the square footage amount or the cost levels in the
2176 approved state facility plan by ten per cent or more. Approval of the
2177 Secretary of the Office of Policy and Management, the Properties
2178 Review Board, the State Bond Commission and the Governor shall be
2179 required to continue the project.

2180 (m) (1) Plans to construct, renovate or modify state-owned or
2181 occupied buildings shall provide for a portion of the total planned
2182 floor area of newly constructed state buildings or buildings
2183 constructed specifically for use by the state to be served by renewable

2184 sources of energy, including solar, wind, water and biomass sources,
2185 for use in space heating and cooling, domestic hot water and other
2186 applications. For the plan due December 1, 1979, the portion to be
2187 served by renewable energy sources shall be not less than five per cent
2188 of total planned new floor area. For each succeeding state facilities
2189 plan submitted after December 1, 1979, the portion of the total planned
2190 floor area of any additional newly constructed state buildings or
2191 buildings constructed specifically for use by the state to be served by
2192 renewable energy sources shall be increased by at least five per cent
2193 per year until a goal of fifty per cent of total planned floor area of any
2194 additional newly constructed state buildings or buildings constructed
2195 specifically for use by the state is reached. For any facility served by
2196 renewable energy sources in accordance with this subsection, not less
2197 than thirty per cent of the total energy requirements of any specific
2198 energy application, including, but not limited to, space heating or
2199 cooling and providing domestic hot water, shall be provided by
2200 renewable energy sources. The installation in newly constructed state
2201 buildings or buildings constructed specifically for use by the state of
2202 systems using renewable energy sources in accordance with this
2203 subsection, shall be subject to the life-cycle cost analysis provided for
2204 in section 16a-38. (2) The state shall fulfill the obligations imposed by
2205 subdivision (1) of this subsection unless such action would cause an
2206 undue economic hardship to the state.

2207 (n) The recommended state facility plan shall include policies for:

2208 (1) The encouragement of the acquisition, transfer and utilization of
2209 space in suitable buildings of historic, architectural or cultural
2210 significance, unless use of such space would not prove feasible and
2211 prudent compared with available alternatives;

2212 (2) The encouragement of the location of commercial, cultural,
2213 educational and recreational facilities and activities within public
2214 buildings;

2215 (3) The provision and maintenance of space, facilities and activities
2216 to the extent practicable, which encourage public access to and
2217 stimulate public pedestrian traffic around, into and through public
2218 buildings, permitting cooperative improvements to and uses of the
2219 areas between the building and the street, so that such activities
2220 complement and supplement commercial, cultural, educational and
2221 recreational resources in the neighborhood of public buildings;

2222 (4) The encouragement of the public use of public buildings for
2223 cultural, educational and recreational activities;

2224 (5) The encouragement of the ownership or leasing of modern
2225 buildings to replace obsolete facilities, achieve cost and energy
2226 efficiencies, maximize delivery of services to the public, preserve
2227 existing infrastructure and provide a comfortable and space-efficient
2228 work environment; and

2229 (6) The encouragement of the establishment of child day care
2230 facilities and child development centers including provisions for (A)
2231 full-day and year-round programs for children of working parents, (B)
2232 opportunities for parents to choose among accredited public or private
2233 programs, (C) open enrollment for children in child day care and
2234 school readiness programs, and (D) incentives for the colocation and
2235 service integration of child day care programs and school readiness
2236 programs pursuant to section 4b-31.

2237 (o) The Commissioner of Administrative Services shall adopt
2238 regulations, in consultation with the Secretary of the Office of Policy
2239 and Management and the State Properties Review Board, and in
2240 accordance with the provisions of chapter 54, setting forth the
2241 procedures which the Department of Administrative Services and said
2242 office and board shall follow in carrying out their responsibilities
2243 concerning state leasing of offices, space or other facilities. Such
2244 regulations shall specify, for each step in the leasing process at which
2245 an approval is needed in order to proceed to the next step, what

2246 information shall be required, who shall provide the information and
2247 the criteria for granting the approval. Notwithstanding any other
2248 provision of the general statutes, such regulations shall provide that:
2249 (1) The Commissioner of Administrative Services shall (A) review all
2250 lease requests included in, and scheduled to begin during, the first
2251 year of each approved state-wide facility and capital plan and (B)
2252 provide the Secretary of the Office of Policy and Management with an
2253 estimate of the gross cost and total square footage need for each lease,
2254 (2) the secretary shall approve a gross cost and a total square footage
2255 for each such lease and transmit each decision to the requesting
2256 agency, the commissioner and the State Properties Review Board, (3)
2257 the commissioner shall submit all leases, lease renewals and hold over
2258 agreements to the secretary for approval, and (4) the secretary shall
2259 approve or disapprove any such lease request or agreement not more
2260 than ten working days after the secretary receives the request or
2261 agreement.

2262 Sec. 30. Subdivision (4) of section 4b-24 of the general statutes is
2263 repealed and the following is substituted in lieu thereof (*Effective July*
2264 *1, 2013*):

2265 (4) After the authorization of a project under the provisions of
2266 section 4b-23, as amended by this act, the Auditors of Public Accounts
2267 and the auditors or accountants of the Commissioner of
2268 Administrative Services [or the Commissioner of Construction
2269 Services, as applicable,] shall have the right to audit the books of any
2270 contractor employed by [either] the commissioner pursuant to such
2271 authorization, or of any party negotiating with the Commissioner of
2272 Administrative Services for the acquisition of land by lease or
2273 otherwise; provided any such audit shall be limited to the project
2274 authorized by the Commissioner of Administrative Services [or the
2275 Commissioner of Construction Services] and the Properties Review
2276 Board, and provided further that in the case of a party negotiating with
2277 the Commissioner of Administrative Services, such audit may also be
2278 conducted after the negotiations have ended, if a contract is

2279 consummated with [either] the commissioner.

2280 Sec. 31. Section 4b-36 of the general statutes is repealed and the
2281 following is substituted in lieu thereof (*Effective July 1, 2013*):

2282 Subject to the provisions of section 4b-30, the Commissioner of
2283 [Construction] Administrative Services may enter into contracts for the
2284 construction upon state-owned land of buildings or facilities or both,
2285 and [the Commissioner of Administrative Services may enter into
2286 contracts] for the subsequent leasing of such building or facilities to the
2287 state to meet the needs of agencies and institutions, without first
2288 leasing the underlying state-owned land to the developer. Such
2289 contracts shall contain provisions providing for the state to buy the
2290 buildings and facilities for a lump sum at stated times during or at the
2291 end of the lease term or, at the state's option, to buy the same by
2292 paying the purchase price in installments.

2293 Sec. 32. Section 4b-52 of the general statutes is repealed and the
2294 following is substituted in lieu thereof (*Effective July 1, 2013*):

2295 (a) (1) No repairs, alterations or additions involving expense to the
2296 state of five hundred thousand dollars or less or, in the case of repairs,
2297 alterations or additions to a building rented or occupied by the Judicial
2298 Branch, one million two hundred fifty thousand dollars or less [or, in
2299 the case of repairs, alterations or additions to a building rented or
2300 occupied by a constituent unit of the state system of higher education,
2301 two million dollars or less,] shall be made to any state building or
2302 premises occupied by any state officer, department, institution, board,
2303 commission or council of the state government and no contract for any
2304 construction, repairs, alteration or addition shall be entered into
2305 without the prior approval of the Commissioner of [Construction]
2306 Administrative Services, except repairs, alterations or additions to (A)
2307 a building under the supervision and control of the Joint Committee
2308 on Legislative Management, [and repairs, alterations or additions to]
2309 (B) a building under the supervision of [The University of Connecticut]

2310 any of the constituent units of the state system of higher education,
2311 and (C) a technical high school under the supervision of the
2312 Department of Education. Repairs, alterations or additions which are
2313 made pursuant to such approval of the Commissioner of
2314 [Construction] Administrative Services shall conform to all guidelines
2315 and procedures established by the Department of [Construction]
2316 Administrative Services for agency-administered projects. (2)
2317 Notwithstanding the provisions of subdivision (1) of this subsection,
2318 repairs, alterations or additions involving expense to the state of five
2319 hundred thousand dollars or less may be made to any state building or
2320 premises under the supervision of the Office of the Chief Court
2321 Administrator, [or a constituent unit of the state system of higher
2322 education,] under the terms of section 4b-11, and any contract for any
2323 such construction, repairs or alteration may be entered into by the
2324 Office of the Chief Court Administrator [or a constituent unit of the
2325 state system of higher education] without the approval of the
2326 Commissioner of [Construction] Administrative Services.

2327 (b) Except as provided in this section, no repairs, alterations or
2328 additions involving an expense to the state of more than five hundred
2329 thousand dollars or, in the case of repairs, alterations or additions to a
2330 building rented or occupied by the Judicial Branch, more than one
2331 million two hundred fifty thousand dollars [, or, in the case of repairs,
2332 alterations or additions to a building rented or occupied by a
2333 constituent unit of the state system of higher education, more than two
2334 million dollars,] shall be made to any state building or premises
2335 occupied by any state officer, department, institution, board,
2336 commission or council of the state government, nor shall any contract
2337 for any construction, repairs, alteration or addition be entered into,
2338 until the Commissioner of [Construction] Administrative Services or,
2339 in the case of the construction or repairs, alterations or additions to a
2340 building under the supervision and control of the Joint Committee on
2341 Legislative Management of the General Assembly, said joint
2342 committee or, in the case of construction, repairs, alterations or

2343 additions to a building involving expenditures in excess of five
2344 hundred thousand dollars but not more than one million two hundred
2345 fifty thousand dollars under the supervision and control of the Judicial
2346 Branch, said Judicial Branch or, in the case of the construction, repairs,
2347 alterations or additions to a building [involving expenditures in excess
2348 of five hundred thousand dollars but not more than two million
2349 dollars] under the supervision and control of one of the constituent
2350 units of higher education, the constituent unit, has invited bids thereon
2351 and awarded a contract thereon, in accordance with the provisions of
2352 sections 4b-91 to 4b-96, inclusive, as amended by this act. The
2353 Commissioner of [Construction] Administrative Services, with the
2354 approval of the authority having the supervision of state employees or
2355 the custody of inmates of state institutions, without the necessity of
2356 bids, may employ such employees or inmates and purchase or furnish
2357 the necessary materials for the construction, erection, alteration, repair
2358 or enlargement of any such state building or premises occupied by any
2359 state officer, department, institution, board, commission or council of
2360 the state government.

2361 (c) Whenever the Commissioner of [Construction] Administrative
2362 Services declares that an emergency condition exists at any state
2363 facility, other than a building under the supervision and control of the
2364 Joint Committee on Legislative Management, and that the condition
2365 would adversely affect public safety or the proper conduct of essential
2366 state government operations, or said joint committee declares that such
2367 an emergency exists at a building under its supervision and control,
2368 the commissioner or the joint committee may employ such assistance
2369 as may be required to restore facilities under their control and
2370 management, or the commissioner may so act upon the request of a
2371 state agency, to restore facilities under the control and management of
2372 such agency, without inviting bids as required in subsection (b) of this
2373 section. The commissioner shall take no action requiring the
2374 expenditure of more than five hundred thousand dollars to restore any
2375 facility under this subsection (1) without the written consent of the

2376 Governor, and (2) until the commissioner has certified to the joint
2377 committee of the General Assembly having cognizance of matters
2378 relating to legislative management that the project is of such an
2379 emergency nature that an exception to subsection (b) of this section is
2380 required. Such certification shall include input from all affected
2381 agencies, detail the need for the exception and include any relevant
2382 documentation. The provisions of this subsection shall not apply if any
2383 person is obligated under the terms of an existing contract with the
2384 state to render such assistance. The annual report of the commissioner
2385 shall include a detailed statement of all expenditures made under this
2386 subsection.

2387 (d) The Commissioner of Administrative Services may, during the
2388 term of a lease of a building or premises occupied by any state offices,
2389 department, institution, board, commission or council of the state
2390 government, (1) renegotiate the lease in order to enable the lessor to
2391 make necessary alterations or additions up to a maximum amount of
2392 five hundred thousand dollars, [in consultation with the
2393 Commissioner of Construction Services] and subject to the approval of
2394 the State Properties Review Board, or (2) require that a security audit
2395 be conducted for such building or premises and, if necessary,
2396 renegotiate the lease in order to enable the lessor to make necessary
2397 alterations or additions to bring the building or premises into
2398 compliance with the security standards for state agencies established
2399 under section 4b-132. Alterations or additions under subdivision (2) of
2400 this subsection shall not be subject to the spending limit in subdivision
2401 (1) of this subsection, and a renegotiated lease under said subdivision
2402 (2) shall be subject to the approval of the State Properties Review
2403 Board, provided such approval requirement shall not compromise the
2404 security requirements of chapter 60a and this section. The
2405 commissioner shall determine the manner of submission, conditions
2406 and requirements of bids and awards made for alterations or additions
2407 under this subsection. No lease shall be renegotiated under this
2408 subsection for a term less than five years. As used in this subsection,

2409 "security" and "security audit" have the meanings assigned to such
2410 terms in section 4b-130.

2411 Sec. 33. Section 4b-62 of the general statutes is repealed and the
2412 following is substituted in lieu thereof (*Effective July 1, 2013*):

2413 The Commissioner of Administrative Services may accept and
2414 execute any trusts, testamentary or otherwise, created or established
2415 for the purpose of procuring, erecting and maintaining any memorial
2416 on public grounds or within public buildings of the state or any
2417 municipality therein, and the court of probate in which a will creating
2418 any such trust has been proved may appoint said commissioner as
2419 trustee to execute such trust without requiring said commissioner to
2420 furnish a probate bond as such trustee; but this section shall not be
2421 construed as empowering said commissioner to erect or maintain any
2422 such memorial upon the grounds or within or upon any public
2423 building belonging to the state without the consent of the General
2424 Assembly, nor upon any grounds nor within or upon any public
2425 building belonging to any city or town, without the consent of the
2426 common council of the city or the selectmen of the town, as the case
2427 may be. The commissioner shall not, without special authority from
2428 the General Assembly, [or without consultation with the
2429 Commissioner of Construction Services,] make, erect or remove from
2430 its location any statue or sculpture upon the property of the state.

2431 Sec. 34. Subsection (a) of section 4b-66a of the general statutes is
2432 repealed and the following is substituted in lieu thereof (*Effective July*
2433 *1, 2013*):

2434 (a) There is established a Connecticut Capitol Center Commission.
2435 The commission shall consist of (1) the Secretary of the Office of Policy
2436 and Management, or the secretary's designee; (2) the Commissioner of
2437 Administrative Services, or the commissioner's designee; (3) the
2438 Commissioner of Economic and Community Development, or the
2439 commissioner's designee; (4) the chairperson of the Culture and

2440 Tourism Advisory Committee, or the chairperson's designee; (5) [the
2441 Commissioner of Construction Services, or the commissioner's
2442 designee; (6)] one member appointed by the speaker of the House of
2443 Representatives; [(7)] (6) one member appointed by the president pro
2444 tempore of the Senate; [(8)] (7) one member appointed by the majority
2445 leader of the House of Representatives; [(9)] (8) one member appointed
2446 by the majority leader of the Senate; [(10)] (9) one member appointed
2447 by the minority leader of the House of Representatives; [(11)] (10) one
2448 member appointed by the minority leader of the Senate; [(12)] (11) the
2449 chairperson of the Hartford Commission on the City Plan; [(13)] (12)
2450 one member appointed by the mayor of the city of Hartford; and [(14)]
2451 (13) one member from the South Downtown Neighborhood
2452 Revitalization Committee.

2453 Sec. 35. Section 4b-76 of the general statutes is repealed and the
2454 following is substituted in lieu thereof (*Effective July 1, 2013*):

2455 In the event that a public or special act authorizes the state
2456 acquisition of real property or the construction, improvement, repair
2457 or renovation of any facility, the Commissioner of Administrative
2458 Services, in accordance with the provisions of this title, may acquire
2459 such real property and [the Commissioner of Construction Services
2460 may] provide design and construction services for any such
2461 construction, improvement, repair or renovation of such facility.

2462 Sec. 36. Subsection (a) of section 4b-136 of the general statutes is
2463 repealed and the following is substituted in lieu thereof (*Effective July*
2464 *1, 2013*):

2465 (a) There is established a State-Wide Security Management Council.
2466 The council shall consist of the following members or their designees:
2467 The Commissioner of Emergency Services and Public Protection, the
2468 Commissioner of Administrative Services, the Commissioner of
2469 Mental Health and Addiction Services, [the Commissioner of
2470 Construction Services,] the Secretary of the Office of Policy and

2471 Management, the Chief Court Administrator, the executive director of
2472 the Joint Committee on Legislative Management, a representative of
2473 the Governor, a representative of the State Employees Bargaining
2474 Agent Coalition, the president of the Connecticut State Police Union,
2475 the president of the Connecticut Police Chiefs Association and the
2476 president of the Uniformed Professional Fire Fighters Association. The
2477 Commissioner of Administrative Services shall serve as chairperson of
2478 the council. Each council member shall provide technical assistance in
2479 the member's area of expertise, as required by the council.

2480 Sec. 37. Subsection (a) of section 4d-90 of the general statutes is
2481 repealed and the following is substituted in lieu thereof (*Effective July*
2482 *1, 2013*):

2483 (a) There is established a Geospatial Information Systems Council
2484 consisting of the following members, or their designees: (1) The
2485 Secretary of the Office of Policy and Management; (2) the
2486 Commissioners of Energy and Environmental Protection, Economic
2487 and Community Development, Transportation, Public Health,
2488 [Construction Services,] Administrative Services, Agriculture,
2489 Emergency Services and Public Protection and Social Services; (3) the
2490 president of the Board of Regents for Higher Education; (4) the
2491 president of The University of Connecticut; (5) one member who is a
2492 user of geospatial information systems appointed by the president pro
2493 tempore of the Senate representing a municipality with a population of
2494 more than sixty thousand; (6) one member who is a user of geospatial
2495 information systems appointed by the minority leader of the Senate
2496 representing a regional planning agency; (7) one member who is a user
2497 of geospatial information systems appointed by the Governor
2498 representing a municipality with a population of less than sixty
2499 thousand but more than thirty thousand; (8) one member who is a user
2500 of geospatial information systems appointed by the speaker of the
2501 House of Representatives representing a municipality with a
2502 population of less than thirty thousand; (9) one member appointed by
2503 the minority leader of the House of Representatives who is a user of

2504 geospatial information systems; (10) the Adjutant General of the
2505 Military Department; and (11) any other persons the council deems
2506 necessary appointed by the council. The Governor shall select the
2507 chairperson from among the members. The chairperson shall
2508 administer the affairs of the council. Vacancies shall be filled by
2509 appointment by the authority making the appointment. Members shall
2510 receive no compensation for their services on said council, but shall be
2511 reimbursed for necessary expenses incurred in the performance of
2512 their duties. Said council shall hold one meeting each calendar quarter
2513 and such additional meetings as may be prescribed by council rules. In
2514 addition, special meetings may be called by the chairperson or by any
2515 three members upon delivery of forty-eight hours written notice to
2516 each member.

2517 Sec. 38. Section 4e-8 of the general statutes is repealed and the
2518 following is substituted in lieu thereof (*Effective July 1, 2013*):

2519 There is established a Contracting Standards Advisory Council,
2520 which shall consist of representatives from the Office of Policy and
2521 Management, Departments of Administrative Services [] and
2522 Transportation [and Construction Services] and representatives of at
2523 least three additional contracting agencies, including at least one
2524 human services related state agency, to be designated by the Governor.
2525 The Chief Procurement Officer shall be a member of the council and
2526 serve as chairperson. The advisory council shall meet at least four
2527 times per year to discuss state procurement issues and to make
2528 recommendations for improvement of the procurement processes to
2529 the State Contracting Standards Board. The advisory council may
2530 conduct studies, research and analyses and make reports and
2531 recommendations with respect to subjects or matters within the
2532 jurisdiction of the State Contracting Standards Board.

2533 Sec. 39. Subsection (a) of section 5-142 of the general statutes is
2534 repealed and the following is substituted in lieu thereof (*Effective July*
2535 *1, 2013*):

2536 (a) If any member of the Division of State Police within the
2537 Department of Emergency Services and Public Protection or of any
2538 correctional institution, or any institution or facility of the Department
2539 of Mental Health and Addiction Services giving care and treatment to
2540 persons afflicted with a mental disorder or disease, or any institution
2541 for the care and treatment of persons afflicted with any mental defect,
2542 or any full-time enforcement officer of the Department of Energy and
2543 Environmental Protection, the Department of Motor Vehicles, the
2544 Department of Consumer Protection who carries out the duties and
2545 responsibilities of sections 30-2 to 30-68m, inclusive, the Office of
2546 Adult Probation, the division within the Department of [Construction]
2547 Administrative Services that carries out construction services or the
2548 Board of Pardons and Paroles, any probation officer for juveniles or
2549 any employee of any juvenile detention home, any member of the
2550 police or fire security force of The University of Connecticut, any
2551 member of the police or fire security force of Bradley International
2552 Airport, any member of the Office of State Capitol Police or any person
2553 appointed under section 29-18 as a special policeman for the State
2554 Capitol building and grounds and the Legislative Office Building and
2555 parking garage and related structures and facilities and other areas
2556 under the supervision and control of the Joint Committee on
2557 Legislative Management, the Chief State's Attorney, the Chief Public
2558 Defender, the Deputy Chief State's Attorney, the Deputy Chief Public
2559 Defender, any state's attorney, any assistant state's attorney or deputy
2560 assistant state's attorney, any public defender, assistant public
2561 defender or deputy assistant public defender, any chief inspector or
2562 inspector appointed under section 51-286 or any staff member or
2563 employee of the Division of Criminal Justice or of the Division of
2564 Public Defender Services, or any Judicial Department employee
2565 sustains any injury (1) while making an arrest or in the actual
2566 performance of such police duties or guard duties or fire duties or
2567 inspection duties, or prosecution or public defender or courthouse
2568 duties, or while attending or restraining an inmate of any such
2569 institution or as a result of being assaulted in the performance of such

2570 person's duty, or while responding to an emergency or code at a
2571 correctional institution, and (2) that is a direct result of the special
2572 hazards inherent in such duties, the state shall pay all necessary
2573 medical and hospital expenses resulting from such injury. If total
2574 incapacity results from such injury, such person shall be removed from
2575 the active payroll the first day of incapacity, exclusive of the day of
2576 injury, and placed on an inactive payroll. Such person shall continue to
2577 receive the full salary that such person was receiving at the time of
2578 injury subject to all salary benefits of active employees, including
2579 annual increments, and all salary adjustments, including salary
2580 deductions, required in the case of active employees, for a period of
2581 two hundred sixty weeks from the date of the beginning of such
2582 incapacity. Thereafter, such person shall be removed from the payroll
2583 and shall receive compensation at the rate of fifty per cent of the salary
2584 that such person was receiving at the expiration of said two hundred
2585 sixty weeks as long as such person remains so disabled, except that
2586 any such person who is a member of the Division of State Police within
2587 the Department of Emergency Services and Public Protection shall
2588 receive compensation at the rate of sixty-five per cent of such salary as
2589 long as such person remains so disabled. Such benefits shall be payable
2590 to a member of the Division of State Police after two hundred sixty
2591 weeks of disability only if the member elects in writing to receive such
2592 benefits in lieu of any benefits payable to the employee under the state
2593 employees retirement system. In the event that such disabled member
2594 of the Division of State Police elects the compensation provided under
2595 this subsection, no benefits shall be payable under chapter 568 or the
2596 state employees retirement system until the former of the employee's
2597 death or recovery from such disability. The provisions of section 31-
2598 293 shall apply to any such payments, and the state of Connecticut is
2599 authorized to bring an action or join in an action as provided by said
2600 section for reimbursement of moneys paid and which it is obligated to
2601 pay under the terms of this subsection. All other provisions of the
2602 workers' compensation law not inconsistent with this subsection,
2603 including the specific indemnities and provisions for hearing and

2604 appeal, shall be available to any such state employee or the dependents
2605 of such a deceased employee. All payments of compensation made to a
2606 state employee under this subsection shall be charged to the
2607 appropriation provided for compensation awards to state employees.
2608 On and after October 1, 1991, any full-time officer of the Department of
2609 Energy and Environmental Protection, the Department of Motor
2610 Vehicles, the Department of Consumer Protection who carries out the
2611 duties and responsibilities of sections 30-2 to 30-68m, inclusive, the
2612 Office of Adult Probation, the division within the Department of
2613 [Construction] Administrative Services that carries out construction
2614 services or the Board of Pardons and Paroles, any probation officer for
2615 juveniles or any employee of any juvenile detention home, the Chief
2616 State's Attorney, the Chief Public Defender, the Deputy Chief State's
2617 Attorney, the Deputy Chief Public Defender, any state's attorney,
2618 assistant state's attorney or deputy assistant state's attorney, any public
2619 defender, assistant public defender or deputy assistant public
2620 defender, any chief inspector or inspector appointed under section 51-
2621 286 or any staff member or employee of the Division of Criminal
2622 Justice or the Division of Public Defender Services, or any Judicial
2623 Department employee who sustains any injury in the course and scope
2624 of such person's employment shall be paid compensation in
2625 accordance with the provisions of section 5-143 and chapter 568,
2626 except, if such injury is sustained as a result of being assaulted in the
2627 performance of such person's duty, any such person shall be
2628 compensated pursuant to the provisions of this subsection.

2629 Sec. 40. Section 10-264h of the general statutes is repealed and the
2630 following is substituted in lieu thereof (*Effective July 1, 2013*):

2631 (a) For the fiscal year ending June 30, 2012, and each fiscal year
2632 thereafter, a local or regional board of education, regional educational
2633 service center, a cooperative arrangement pursuant to section 10-158a,
2634 or any of the following entities that operate an interdistrict magnet
2635 school that assists the state in meeting the goals of the 2008 stipulation
2636 and order for Milo Sheff, et al. v. William A. O'Neill, et al., as

determined by the Commissioner of Education: (1) The Board of Trustees of the Community-Technical Colleges on behalf of a regional community-technical college, (2) the Board of Trustees of the Connecticut State University System on behalf of a state university, (3) the Board of Trustees for The University of Connecticut on behalf of the university, (4) the board of governors for an independent college or university, as defined in section 10a-37, or the equivalent of such a board, on behalf of the independent college or university, and (5) any other third-party not-for-profit corporation approved by the Commissioner of Education, may be eligible for reimbursement, except as otherwise provided for, up to eighty per cent of the eligible cost of any capital expenditure for the purchase, construction, extension, replacement, leasing or major alteration of interdistrict magnet school facilities, including any expenditure for the purchase of equipment, in accordance with this section. To be eligible for reimbursement under this section a magnet school construction project shall meet the requirements for a school building project established in chapter 173, except that the Commissioner of [Construction] Administrative Services, in consultation with the Commissioner of Education, may waive any requirement in such chapter for good cause. On and after July 1, 2011, the Commissioner of [Construction] Administrative Services shall approve only applications for reimbursement under this section that the Commissioner of Education finds will reduce racial, ethnic and economic isolation. Applications for reimbursement under this section for the construction of new interdistrict magnet schools shall not be accepted until the Commissioner of Education develops a comprehensive state-wide interdistrict magnet school plan, in accordance with the provisions of subdivision (1) of subsection (b) of section 10-264l, unless the Commissioner of Education determines that such construction will assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al.

(b) Subject to the provisions of subsection (a) of this section, the applicant shall receive current payments of scheduled estimated

2670 eligible project costs for the facility, provided (1) the applicant files an
2671 application for a school building project, in accordance with section 10-
2672 283, by the date prescribed by the Commissioner of Education, (2) final
2673 plans and specifications for the project are approved pursuant to
2674 sections 10-291 and 10-292, as amended by this act, and (3) such district
2675 submits to the Commissioner of Education, in such form as the
2676 commissioner prescribes, and the commissioner approves a plan for
2677 the operation of the facility which includes, but need not be limited to:
2678 A description of the educational programs to be offered, the
2679 completion date for the project, an estimated budget for the operation
2680 of the facility, written commitments for participation from the districts
2681 that will participate in the school and an analysis of the effect of the
2682 program on the reduction of racial, ethnic and economic isolation. The
2683 Commissioner of Education shall notify the Commissioner of
2684 [Construction] Administrative Services and the secretary of the State
2685 Bond Commission when the provisions of subdivisions (1) and (3) of
2686 this subsection have been met. Upon application to the Commissioner
2687 of Education, compliance with the provisions of subdivisions (1) and
2688 (3) of this subsection and after authorization by the General Assembly
2689 pursuant to section 10-283, the applicant shall be eligible to receive
2690 progress payments in accordance with the provisions of section 10-
2691 287i.

2692 (c) (1) If the school building ceases to be used as an interdistrict
2693 magnet school facility and the grant was provided for the purchase or
2694 construction of the facility, the Commissioner of [Construction]
2695 Administrative Services, in consultation with the Commissioner of
2696 Education, shall determine whether (A) title to the building and any
2697 legal interest in appurtenant land shall revert to the state, or (B) the
2698 school district shall reimburse the state an amount equal to the
2699 difference between the amount received pursuant to this section and
2700 the amount the district would have been eligible to receive based on
2701 the percentage determined pursuant to section 10-285a, multiplied by
2702 the estimated eligible project costs.

2703 (2) If the school building ceases to be used as an interdistrict magnet
2704 school facility and the grant was provided for the extension or major
2705 alteration of the facility, the school district shall reimburse the state the
2706 amount determined in accordance with subparagraph (B) of
2707 subdivision (1) of this subsection. A school district receiving a request
2708 for reimbursement pursuant to this subdivision shall reimburse the
2709 state not later than the close of the fiscal year following the year in
2710 which the request is made. If the school district fails to so reimburse
2711 the state, the Department of [Construction] Administrative Services
2712 may request the Department of Education to withhold such amount
2713 from the total sum which is paid from the State Treasury to such
2714 school district or the town in which it is located or, in the case of a
2715 regional school district, the towns which comprise the school district. If
2716 the amount paid from the State Treasury is less than the amount due,
2717 the [Department of Construction Services may refer the matter to the]
2718 Department of Administrative Services [for collection] shall collect
2719 such amount from the school district.

2720 (d) The Commissioner of [Construction] Administrative Services
2721 shall provide for a final audit of all project expenditures pursuant to
2722 this section and may require repayment of any ineligible expenditures,
2723 except that the Commissioner of [Construction] Administrative
2724 Services may waive any audit deficiencies found during a final audit of
2725 all project expenditures pursuant to this section if the Commissioner of
2726 [Construction] Administrative Services determines that granting such
2727 waiver is in the best interest of the state.

2728 Sec. 41. Subsection (a) of section 10-285b of the general statutes is
2729 repealed and the following is substituted in lieu thereof (*Effective July*
2730 *1, 2013*):

2731 (a) (1) Any incorporated or endowed high school or academy
2732 approved by the State Board of Education, pursuant to section 10-34,
2733 may apply and be eligible subsequently to be considered for school
2734 construction grant commitments from the state pursuant to this

2735 chapter.

2736 (2) Applications pursuant to this subsection shall be filed at such
2737 time and on such forms as the Department of [Construction]
2738 Administrative Services prescribes. The Commissioners of Education
2739 and [Construction] Administrative Services shall approve such
2740 applications pursuant to the provisions of section 10-284.

2741 (3) In the case of a school building project, as defined in
2742 subparagraph (A) of subdivision (3) of section 10-282, the amount of
2743 the grant approved by the Commissioner of [Construction]
2744 Administrative Services shall be computed pursuant to the provisions
2745 of section 10-286, and the eligible percentage shall be computed
2746 pursuant to the provisions of subsection (b) of this section. The
2747 calculation of the grant pursuant to this section shall be made in
2748 accordance with the state standard space specifications in effect at the
2749 time of final grant calculation.

2750 Sec. 42. Section 10-292 of the general statutes is repealed and the
2751 following is substituted in lieu thereof (*Effective July 1, 2013*):

2752 (a) Upon receipt by the Commissioner of [Construction]
2753 Administrative Services of the final plans for any phase of a school
2754 building project as provided in section 10-291, said commissioner shall
2755 promptly review such plans and check them to the extent appropriate
2756 for the phase of development or construction for which final plans
2757 have been submitted to determine whether they conform with the
2758 requirements of the Fire Safety Code, the Department of Public Health,
2759 the life-cycle cost analysis approved by the Commissioner of
2760 [Construction] Administrative Services, the State Building Code and
2761 the state and federal standards for design and construction of public
2762 buildings to meet the needs of disabled persons, and if acceptable a
2763 final written approval of such phase shall be sent to the town or
2764 regional board of education and the school building committee. No
2765 phase of a school building project, subject to the provisions of

2766 subsection (c) or (d) of this section, shall go out for bidding purposes
2767 prior to such written approval.

2768 (b) Notwithstanding the provisions of subsection (a) of this section,
2769 a town or regional school district may submit final plans and
2770 specifications for oil tank replacement, roof replacement, asbestos
2771 abatement, code violation, energy conservation, network wiring
2772 projects or projects for which state assistance is not sought, to the local
2773 officials having jurisdiction over such matters for review and written
2774 approval. The total costs for an asbestos abatement, code violation,
2775 energy conservation, or network wiring project eligible for review and
2776 approval under this subsection shall not exceed one million dollars.
2777 Except for projects for which state assistance is not sought and projects
2778 for which the town or regional school district is using a state contract
2779 pursuant to subsection (d) of this section, no school building project
2780 described in this subsection shall go out for bidding purposes prior to
2781 the receipt and acceptance by the Department of [Construction]
2782 Administrative Services of such written approval.

2783 (c) On and after October 1, 1991, if the Commissioner of
2784 Construction Services does not complete his or her review pursuant to
2785 subsection (a) of this section, [within] not later than thirty days [from]
2786 after the date of receipt of final plans for a school building project, a
2787 town or regional school district may submit such final plans to local
2788 officials having jurisdiction over such matters for review and written
2789 approval. In such case, the school district shall notify the commissioner
2790 of such action and no such school building project shall go out for
2791 bidding purposes prior to the receipt by the commissioner of such
2792 written approval, except for projects for which the town or regional
2793 school district is using a state contract pursuant to subsection (d) of
2794 this section. Local building officials and fire marshals may engage the
2795 services of a code consultant for purposes of the review pursuant to
2796 this subsection, provided the cost of such consultant shall be paid by
2797 the school district.

2798 (d) If the Department of Administrative Services [or the Department
2799 of Construction Services] makes a state contract available for use by
2800 towns or regional school districts, a town or regional school district
2801 may use such contract, provided the actual estimate for the school
2802 building project under the state contract is not given until receipt by
2803 the town or regional school district of approval of the plan pursuant to
2804 this section.

2805 Sec. 43. Subsection (h) of section 16-50j of the general statutes is
2806 repealed and the following is substituted in lieu thereof (*Effective July*
2807 *1, 2013*):

2808 (h) Prior to commencing any hearing pursuant to section 16-50m,
2809 the council shall consult with and solicit written comments from (1) the
2810 Department of Energy and Environmental Protection, the Department
2811 of Public Health, the Council on Environmental Quality, the
2812 Department of Agriculture, the Public Utilities Regulatory Authority,
2813 the Office of Policy and Management, the Department of Economic
2814 and Community Development and the Department of Transportation,
2815 and (2) in a hearing pursuant to section 16-50m, for a facility described
2816 in subdivision (3) of subsection (a) of section 16-50i, the Department of
2817 Emergency Services and Public Protection, the Department of
2818 Consumer Protection, the Department of [Public Works]
2819 Administrative Services and the Labor Department. In addition, the
2820 Department of Energy and Environmental Protection shall have the
2821 continuing responsibility to investigate and report to the council on all
2822 applications which prior to October 1, 1973, were within the
2823 jurisdiction of the Department of Environmental Protection with
2824 respect to the granting of a permit. Copies of such comments shall be
2825 made available to all parties prior to the commencement of the
2826 hearing. Subsequent to the commencement of the hearing, said
2827 departments and council may file additional written comments with
2828 the council within such period of time as the council designates. All
2829 such written comments shall be made part of the record provided by
2830 section 16-50o. Said departments and council shall not enter any

2831 contract or agreement with any party to the proceedings or hearings
2832 described in this section or section 16-50p, that requires said
2833 departments or council to withhold or retract comments, refrain from
2834 participating in or withdraw from said proceedings or hearings.

2835 Sec. 44. Section 16-50jj of the general statutes is repealed and the
2836 following is substituted in lieu thereof (*Effective July 1, 2013*):

2837 At least once during the period of construction of an electric
2838 generating facility in this state, the Connecticut Siting Council, the
2839 Departments of [Construction] Administrative Services, Emergency
2840 Services, [and] Public Protection [,] and Consumer Protection [and
2841 Public Works,] and the Labor Department shall conduct a meeting to
2842 discuss and develop proposed resolutions for any known or potential
2843 safety issue at such facility. The council and said departments shall
2844 submit any such proposed resolutions to the special inspector
2845 provided for such facility, as required pursuant to section 16-50ii.

2846 Sec. 45. Subsection (b) of section 22a-354i of the general statutes is
2847 repealed and the following is substituted in lieu thereof (*Effective July*
2848 *1, 2013*):

2849 (b) In adopting such regulations, the commissioner shall consider
2850 the guidelines for aquifer protection areas recommended in the report
2851 prepared pursuant to special act 87-63, as amended, and shall avoid
2852 duplication and inconsistency with other state or federal laws and
2853 regulations affecting aquifers. The regulations shall be developed in
2854 consultation with an advisory committee appointed by the
2855 commissioner. The advisory committee shall include the
2856 Commissioners of [Construction] Administrative Services and Public
2857 Health, or their designees, members of the public, and representatives
2858 of businesses affected by the regulations, agriculture, environmental
2859 groups, municipal officers and water companies.

2860 Sec. 46. Section 29-201 of the general statutes is repealed and the
2861 following is substituted in lieu thereof (*Effective July 1, 2013*):

2862 As used in this chapter, unless the context clearly indicates
2863 otherwise:

2864 [(a)] (1) "Passenger tramway" means a device used to transport
2865 passengers in cars on tracks or suspended in the air, or uphill on skis,
2866 by the use of steel cables, chains or belts or by ropes, and usually
2867 supported by trestles or towers with one or more spans, but shall not
2868 include any such device not available for public use and not subject to
2869 a fee for use of same. The term "passenger tramway" [shall include]
2870 includes the following: [(1)] (A) Two-car aerial passenger tramways,
2871 which are devices used to transport passengers in two open or
2872 enclosed cars attached to, and suspended from, a moving wire rope, or
2873 attached to a moving wire rope and supported on a standing wire
2874 rope, or similar devices; [(2)] (B) multicar aerial passenger tramways,
2875 which are devices used to transport passengers in several open or
2876 enclosed cars attached to, and suspended from, a moving wire rope, or
2877 attached to a moving wire rope and supported on a standing wire
2878 rope, or similar devices; [(3)] (C) skimobiles, which are devices in
2879 which a passenger car running on steel or wooden tracks is attached to
2880 and pulled by a steel cable, or similar devices; [(4)] (D) chair lifts,
2881 which are devices which carry passengers on chairs suspended in the
2882 air and attached to a moving cable, chain or link belt supported by
2883 trestles or towers with one or more spans, or similar devices; [(5)] (E) J
2884 bars, T bars, platter pulls and similar types of devices, which are
2885 means of transportation that pull skiers riding on skis by means of an
2886 attachment to a main overhead cable supported by trestles or towers
2887 with one or more spans; [(6)] and (F) rope tows, which are devices that
2888 pull the skiers riding on skis as the skier grasps the rope manually, or
2889 similar devices.

2890 [(b)] (2) "Operator" means a person who owns or controls the
2891 operation of a passenger tramway or ski area. An operator of a
2892 passenger tramway shall be deemed not to be operating a common
2893 carrier.

2894 [(c)] (3) "Department" means the Department of [Construction]
2895 Administrative Services.

2896 [(d)] (4) "Commissioner" means the Commissioner of [Construction]
2897 Administrative Services.

2898 [(e)] (5) "Skier" [shall include] includes the following: [(1)] (A) A
2899 person utilizing the ski area under control of the operator for the
2900 purpose of skiing, whether or not he or she is utilizing a passenger
2901 tramway; [(2)] and (B) a person utilizing the passenger tramway
2902 whether or not [that] such person is a skier, including riders on a
2903 passenger tramway operating during the nonskiing season.

2904 Sec. 47. Section 29-232 of the general statutes is repealed and the
2905 following is substituted in lieu thereof (*Effective July 1, 2013*):

2906 (a) The Commissioner of [Construction] Administrative Services
2907 shall [formulate] adopt regulations in accordance with the provisions
2908 of chapter 54 for the design, construction, installation, repair, use and
2909 operation of boilers in Connecticut. Such regulations shall conform as
2910 nearly as possible to the Boiler Code of the American Society of
2911 Mechanical Engineers, and the National Board Inspection Code, both
2912 as amended, and shall prescribe requirements as to the construction,
2913 installation, repair, use and inspection of boilers in the interest of
2914 public safety. The Commissioner of [Construction] Administrative
2915 Services shall hold hearings for the purpose of securing aid in the
2916 formulation of such regulations. Such hearings shall be public and
2917 representatives of all parties interested shall be given an opportunity
2918 to be heard.

2919 (b) Any person may apply to the State Building Inspector to grant
2920 variations or exemptions from, or approve equivalent or alternate
2921 compliance with, standards incorporated in the regulations adopted
2922 under the provisions of subsection (a) of this section, and the State
2923 Building Inspector or a designee may approve such variations,
2924 exemptions, or equivalent or alternate compliance where strict

2925 compliance with such provisions would cause practical difficulty or
2926 unnecessary hardship.

2927 (c) Any person aggrieved by any decision of the State Building
2928 Inspector or the State Building Inspector's designee pursuant to
2929 subsection (b) of this section may appeal to the Commissioner of
2930 [Construction] Administrative Services or said commissioner's
2931 designee not later than thirty days after receipt of the notice of such
2932 decision. Any person aggrieved by any ruling of said commissioner or
2933 designee may appeal therefrom to the Superior Court in accordance
2934 with section 4-183.

2935 Sec. 48. Section 29-233 of the general statutes is repealed and the
2936 following is substituted in lieu thereof (*Effective July 1, 2013*):

2937 The [Department of Administrative Services may call upon the
2938 Commissioner of Construction Services to assist in formulating] Office
2939 of Policy and Management shall formulate the examination
2940 requirements and the examination questions for candidates for the
2941 positions of boiler inspectors within the Department of [Construction]
2942 Administrative Services. The Commissioner of [Construction]
2943 Administrative Services shall issue a commission as boiler inspector to
2944 any person employed as boiler inspector who has been in the
2945 Department of [Construction] Administrative Services after being
2946 appointed in accordance with the provisions of chapter 67 or certified
2947 as competent as a result of such examination.

2948 Sec. 49. Section 29-312 of the general statutes is repealed and the
2949 following is substituted in lieu thereof (*Effective July 1, 2013*):

2950 The Commissioner of [Construction] Administrative Services may
2951 appoint a Deputy State Fire Marshal who shall be subject to the
2952 supervision and direction of the Commissioner of [Construction]
2953 Administrative Services and be vested with all the powers conferred
2954 upon [said commissioner] the State Fire Marshal by section 29-310.

2955 Sec. 50. Section 29-315a of the general statutes is repealed and the
2956 following is substituted in lieu thereof (*Effective July 1, 2013*):

2957 On or before July 1, 2005, each chronic and convalescent nursing
2958 home or rest home with nursing supervision licensed pursuant to
2959 chapter 368v shall submit a plan for employee fire safety training and
2960 education to the Departments of Public Health and [Construction]
2961 Administrative Services and the Labor Department. Such plan shall, at
2962 a minimum, comply with standards adopted by the federal
2963 Occupational Safety and Health Administration, including, but not
2964 limited to, standards listed in 29 CFR 1910.38, 1910.39 and 1910.157, as
2965 adopted pursuant to chapter 571, or 29 USC Section 651 et seq., as
2966 appropriate. The commissioners shall review each such plan and may
2967 make recommendations they deem necessary. Once approved or
2968 revised, such plan shall not be required to be resubmitted until further
2969 revised or there is a change of ownership of the nursing or rest home.

2970 Sec. 51. Subsection (c) of section 31-57c of the general statutes is
2971 repealed and the following is substituted in lieu thereof (*Effective July*
2972 *1, 2013*):

2973 (c) The Commissioner of [Construction] Administrative Services
2974 may disqualify any contractor, for up to two years, from bidding on,
2975 applying for, or participating as a subcontractor under, contracts with
2976 the state, acting through any of its departments, commissions or other
2977 agencies, except the [Department of Administrative Services, the]
2978 Department of Transportation and the constituent units of the state
2979 system of higher education, for one or more causes set forth under
2980 subsection (d) of this section. The commissioner may initiate a
2981 disqualification proceeding only after consulting with the contract
2982 awarding agency, if any, and the Attorney General and shall provide
2983 notice and an opportunity for a hearing to the contractor who is the
2984 subject of the proceeding. The hearing shall be conducted in
2985 accordance with the contested case procedures set forth in chapter 54.
2986 The commissioner shall issue a written decision within ninety days of

2987 the last date of such hearing and state in the decision the reasons for
2988 the action taken and, if the contractor is being disqualified, the period
2989 of such disqualification. The existence of a cause for disqualification
2990 shall not be the sole factor to be considered in determining whether the
2991 contractor shall be disqualified. In determining whether to disqualify a
2992 contractor, the commissioner shall consider the seriousness of the
2993 contractor's acts or omissions and any mitigating factors. The
2994 commissioner shall send the decision to the contractor by certified
2995 mail, return receipt requested. The written decision shall be a final
2996 decision for the purposes of sections 4-180 and 4-183.

2997 Sec. 52. Section 31-390 of the general statutes is repealed and the
2998 following is substituted in lieu thereof (*Effective July 1, 2013*):

2999 (a) The Labor Commissioner and the Commissioners of Economic
3000 and Community Development and [Construction] Administrative
3001 Services shall have the right of inspection of any such project at any
3002 time.

3003 (b) The Labor Commissioner and the Commissioners of Economic
3004 and Community Development and [Construction] Administrative
3005 Services and the Secretary of the Office of Policy and Management are
3006 authorized to make orders, establish guidelines and adopt regulations
3007 under the provisions of chapter 54 with respect to the implementation
3008 of this chapter.

3009 (c) At the request of the commissioners, any agency or department
3010 of the executive branch shall advise and assist the commissioners in
3011 the implementation of this chapter.

3012 Sec. 53. Section 3-13c of the general statutes is repealed and the
3013 following is substituted in lieu thereof (*Effective from passage*):

3014 Trust funds as used in sections 3-13 to 3-13e, inclusive, and 3-31b
3015 shall be construed to include Connecticut Municipal Employees'
3016 Retirement Fund A, Connecticut Municipal Employees' Retirement

3017 Fund B, [Soldiers, Sailors and Marines Fund,] State's Attorneys'
3018 Retirement Fund, Teachers' Annuity Fund, Teachers' Pension Fund,
3019 Teachers' Survivorship and Dependency Fund, School Fund, State
3020 Employees Retirement Fund, the Hospital Insurance Fund, Policemen
3021 and Firemen Survivor's Benefit Fund and all other trust funds
3022 administered, held or invested by the Treasurer.

3023 Sec. 54. Section 27-138 of the general statutes is repealed and the
3024 following is substituted in lieu thereof (*Effective from passage*):

3025 [(a)] The Soldiers, Sailors and Marines Fund shall remain as
3026 established and shall be in the custody of the [Treasurer] American
3027 Legion as trustee of the fund and shall be administered by [the
3028 treasurer of] the American Legion. [The Treasurer shall invest the fund
3029 and shall reinvest as much of the fund as is not required for current
3030 disbursement in accordance with the provisions of part I of chapter 32.
3031 The interest accumulations of the fund so held in trust or so much
3032 thereof as is found necessary to carry out the purposes hereinafter
3033 stated shall be paid, upon the order of the Comptroller, upon such
3034 statements as the Comptroller may require, to the treasurer of the
3035 American Legion, who shall disburse the same, and the balance of said
3036 accumulations, except for a reserve of one hundred thousand dollars
3037 held in custody of the trustee for contingent purposes, shall at the end
3038 of each fiscal year be added to the principal of the fund. If the interest
3039 accumulations of the fund, together with available appropriations, if
3040 any, of other funds, are insufficient to carry out the purposes of this
3041 part, the Finance Advisory Committee, upon recommendation of the
3042 Governor, shall make appropriations therefor from the state General
3043 Fund, limited, however, for any fiscal year to amounts which, together
3044 with said interest accumulations for such year, shall not exceed the
3045 annual interest on thirty-five million dollars at the average rate of the
3046 investment yield earned during the preceding fiscal year on the
3047 Soldiers, Sailors and Marines Fund, provided, in case of disaster
3048 constituting an emergency, as declared by the Governor, the Finance
3049 Advisory Committee may make additional appropriations to the fund

3050 without regard to such limitation. Any amounts appropriated from the
3051 General Fund under the provisions of this subsection on or after July 1,
3052 2002, and disbursed by the treasurer of the American Legion to carry
3053 out the purposes of this part, shall be repaid to said fund in accordance
3054 with the provisions of subsection (b) of this section. Payments to the
3055 treasurer of the American Legion shall be made at such definite and
3056 stated periods as are necessary to meet the convenience of the
3057 American Legion and said trustee; but each payment shall be made
3058 upon the order of the treasurer of the American Legion, approved by
3059 at least two of its executive officers or of a special committee thereof
3060 thereunto specially authorized.] The American Legion may consult
3061 with the Treasurer concerning investment of the fund. No part of the
3062 interest accumulation of the fund shall be expended for the purpose of
3063 maintaining the American Legion.

3064 [(b) If in any fiscal year the interest earned on the principal of the
3065 Soldiers, Sailors and Marines Fund exceeds the expenditure level of
3066 said fund and there remains an outstanding balance in the cumulative
3067 amount to be repaid to the General Fund by the Soldiers, Sailors and
3068 Marines Fund under the provisions of subsection (a) of this section, the
3069 Comptroller may transfer any interest earned in excess of expenditure
3070 to the General Fund. Except as provided in this section, the
3071 Comptroller may not transfer interest earned on the principal of the
3072 Soldiers, Sailors and Marines Fund to the General Fund.]

3073 Sec. 55. (NEW) (*Effective July 1, 2014*) (a) The American Legion shall,
3074 on or before January fifteenth biennially, cause an independent audit
3075 of the Soldiers, Sailors and Marines Fund, described in section 27-138
3076 of the general statutes, as amended by this act. Such audit shall be
3077 conducted in accordance with sections 4-230 to 4-236, inclusive, of the
3078 general statutes and regulations adopted pursuant to section 4-236 of
3079 the general statutes. The audit report shall include: (1) A detailed
3080 description of the fund investments; (2) a description of investment
3081 returns, including interest, dividends, realized capital gains and
3082 unrealized capital gains organized by investment type; (3) a list of

3083 operating expenditures that describes the type, and includes the
3084 amount, of each expenditure; (4) a list of the number of grant recipients
3085 each month; (5) the fund balance for the current year, the amount of
3086 interest earned for the current year, the estimated fund balance for the
3087 subsequent year and the estimated interest earned for the subsequent
3088 year; and (6) any other information that is required to be reported to
3089 the Treasurer.

3090 (b) Not later than seven business days after the American Legion
3091 receives the audit report of the independent audit described in
3092 subsection (a) of this section, the American Legion shall submit to the
3093 Treasurer and the joint standing committees of the General Assembly
3094 having cognizance of matters relating to finance, revenue and bonding
3095 and veterans a copy of such report. The American Legion shall make
3096 such report available to the public in paper and electronic form.

3097 Sec. 56. Section 36a-42 of the general statutes is repealed and the
3098 following is substituted in lieu thereof (*Effective July 1, 2013*):

3099 A financial institution may not disclose to any person, except to the
3100 customer or the customer's duly authorized agent, any financial
3101 records relating to such customer unless the customer has authorized
3102 disclosure to such person or the financial records are disclosed in
3103 response to (1) a certificate signed by the Commissioner of
3104 Administrative Services or the Commissioner of Social Services
3105 pursuant to the provisions of section 17b-137, (2) a lawful subpoena,
3106 summons, warrant or court order as provided in section 36a-43, (3)
3107 interrogatories by a judgment creditor or a demand by a levying
3108 officer as provided in sections 52-351b and 52-356a, (4) a certificate
3109 issued by a medical provider or its attorney under subsection (b) of
3110 section 17b-124, provided nothing in this subsection shall require the
3111 provider or its attorney to furnish to the financial institution any
3112 application for medical assistance filed pursuant to an agreement with
3113 the IV-D agency under subsection (c) of section 17b-137, (5) [a
3114 certificate signed by the Commissioner of Veterans' Affairs pursuant to

3115 section 27-117, (6)] the consent of an elderly person or the
3116 representative of such elderly person provided to a person,
3117 department, agency or commission pursuant to section 17b-454,
3118 provided the financial institution shall have no obligation to determine
3119 the capacity of such elderly person or the representative of such
3120 elderly person to provide such consent, or [(7)] (6) a request for
3121 information served upon a financial institution in accordance with
3122 subsection (e) of section 12-162.

3123 Sec. 57. (*Effective July 1, 2013*) Notwithstanding the provisions of
3124 section 165 of public act 11-61, as amended by section 11 of public act
3125 11-1 of the June special session, no unclassified officer or employee
3126 whose salary grade is included in the executive pay plan established
3127 by the Commissioner of Administrative Services shall receive an
3128 increase in salary for the fiscal years beginning July 1, 2013, and July 1,
3129 2014, except as provided in section 37 of public act 12-1 of the
3130 December special session.

3131 Sec. 58. Section 4b-1 of the general statutes is repealed and the
3132 following is substituted in lieu thereof (*Effective July 1, 2013*):

3133 The Commissioner of [Construction] Administrative Services shall
3134 (1) be responsible for the administrative functions of construction and
3135 planning of all capital improvements undertaken by the state, except
3136 (A) highway and bridge construction, the construction and planning of
3137 capital improvements related to mass transit, marine and aviation
3138 transportation, (B) the Connecticut Marketing Authority, (C) planning
3139 and construction of capital improvements to the State Capitol building
3140 or the Legislative Office Building and related facilities by the Joint
3141 Committee on Legislative Management, (D) any project as defined in
3142 subdivision (16) of section 10a-109c, undertaken by The University of
3143 Connecticut, [and] (E) school building projects for the technical high
3144 school system, (F) any construction projects within the jurisdiction of
3145 the Board of Regents for Higher Education, and (G) construction and
3146 planning of capital improvements related to the Judicial Department if

3147 such construction and planning do not constitute a project within the
3148 meaning of subsection (g) of section 4b-55, as amended by this act,
3149 including the preparation of preliminary plans, estimates of cost,
3150 development of designs, working plans and specifications, award of
3151 contracts and supervision and inspection. For the purposes of this
3152 subparagraph [(E)] (G), the term "Judicial Department" does not
3153 include the courts of probate, the Division of Criminal Justice and the
3154 Public Defender Services Commission, except where such agencies
3155 share facilities in state-maintained courts; (2) select consultant firms in
3156 accordance with the provisions of sections 4b-56 to 4b-59, inclusive, as
3157 amended by this act, to assist in the development of plans and
3158 specifications when in the commissioner's judgment such assistance is
3159 desirable; (3) render technical advice and service to all state agencies in
3160 the preparation and correlation of plans for necessary improvement of
3161 their physical plants; and (4) cooperate with those charged with fiscal
3162 programming and budget formulation in the development of a capital
3163 program and a capital budget for the state.

3164 Sec. 59. Subsection (a) of section 4b-51 of the general statutes is
3165 repealed and the following is substituted in lieu thereof (*Effective July*
3166 *1, 2013*):

3167 (a) The Commissioner of [Construction] Administrative Services
3168 shall have charge and supervision of the remodeling, alteration, repair
3169 or enlargement of any real asset, except any dam, flood or erosion
3170 control system, highway, bridge or any mass transit, marine or
3171 aviation transportation facility, a facility of the Connecticut Marketing
3172 Authority, an asset of the Department of Agriculture program
3173 established pursuant to section 26-237a, or any building under the
3174 supervision and control of the Joint Committee on Legislative
3175 Management, involving an expenditure in excess of five hundred
3176 thousand dollars, and except that (1) the Judicial Branch may have
3177 charge and supervision of the remodeling, alteration, repair,
3178 construction or enlargement of any real asset involving an expenditure
3179 of not more than one million two hundred fifty thousand dollars, (2)

3180 each constituent unit of the state system of higher education may have
3181 charge and supervision of the remodeling, alteration, repair,
3182 construction or enlargement of any real asset [involving an
3183 expenditure of not more than two million dollars, and (3) The
3184 University of Connecticut shall have charge and supervision of the
3185 remodeling, alteration, repair, construction, or enlargement] and, in
3186 the case of The University of Connecticut, of any project, as defined in
3187 subdivision (16) of section 10a-109c, notwithstanding the amount of
3188 the expenditure involved, and (3) the Department of Education may
3189 have charge and supervision of school building projects for the
3190 technical high school system, pursuant to section 10-283b, as amended
3191 by this act. In any decision to remodel, alter, repair or enlarge any real
3192 asset, the commissioner shall consider the capability of the real asset to
3193 facilitate recycling programs.

3194 Sec. 60. Section 4b-55 of the general statutes is repealed and the
3195 following is substituted in lieu thereof (*Effective July 1, 2013*):

3196 As used in this section, section 4b-1, as amended by this act, and
3197 sections 4b-56 to 4b-59, inclusive, as amended by this act, unless the
3198 context clearly requires otherwise:

3199 (a) "Commissioner" means the Commissioner of [Construction]
3200 Administrative Services;

3201 (b) "Consultant" means (1) any architect, professional engineer,
3202 landscape architect, land surveyor, accountant, interior designer,
3203 environmental professional or construction administrator, who is
3204 registered or licensed to practice such person's profession in
3205 accordance with the applicable provisions of the general statutes, or (2)
3206 any planner or financial specialist;

3207 (c) "Consultant services" shall include those professional services
3208 rendered by architects, professional engineers, landscape architects,
3209 land surveyors, accountants, interior designers, environmental
3210 professionals, construction administrators, planners or financial

3211 specialists, as well as incidental services that members of these
3212 professions and those in their employ are authorized to perform;

3213 (d) "University of Connecticut library project" means a project to
3214 renovate and improve the Homer Babbidge Library at The University
3215 of Connecticut;

3216 (e) "Firm" means any individual, partnership, corporation, joint
3217 venture, association or other legal entity (1) authorized by law to
3218 practice the profession of architecture, landscape architecture,
3219 engineering, land surveying, accounting, interior design,
3220 environmental or construction administration, or (2) practicing the
3221 profession of planning or financial specialization;

3222 [(f) "Priority higher education facility project" means any project
3223 which is part of a state program to repair, renovate, enlarge, equip,
3224 purchase or construct (1) instructional facilities, (2) academic core
3225 facilities, including library, research and laboratory facilities, (3)
3226 student residential or related student dining facilities, or (4) utility
3227 systems related to such projects, which are or will be operated under
3228 the jurisdiction of the board of trustees of any constituent unit of the
3229 state system of higher education, except The University of Connecticut
3230 provided the project is included in the comprehensive facilities master
3231 plan of the constituent unit in the most recent state facility plan of the
3232 Office of Policy and Management pursuant to section 4b-23;]

3233 [(g)] (f) "Project" means any state program requiring consultant
3234 services if the cost of such services is estimated to exceed three
3235 hundred thousand dollars;

3236 [(h)] (g) "Selection panel" or "panel" means the State Construction
3237 Services Selection Panel established pursuant to subsection (a) of
3238 section 4b-56, as amended by this act, or, in the case of a Connecticut
3239 Health and Education Facilities Authority project pursuant to section
3240 10a-186a, means the Connecticut Health and Education Facilities
3241 Authority Construction Services Panel established pursuant to

3242 subsection (c) of section 4b-56, as amended by this act;

3243 [(i)] (h) "User agency" means the state department or agency
3244 requesting the project or the agency for which such project is being
3245 undertaken pursuant to law;

3246 [(j)] (i) "Community court project" means (1) any project to renovate
3247 and improve a facility designated for the community court established
3248 pursuant to section 51-181c, and (2) the renovation and improvement
3249 of other state facilities required for the relocation of any state agency
3250 resulting from the placement of the community court;

3251 [(k)] (j) "Connecticut Juvenile Training School project" means a
3252 project (1) to develop on a designated site new facilities for a
3253 Connecticut Juvenile Training School in Middletown including, but
3254 not limited to, preparing a feasibility study for, designing,
3255 constructing, reconstructing, improving or equipping said facility for
3256 use by the Department of Children and Families, which is an
3257 emergency project because there is an immediate need for completion
3258 of said project to remedy overcrowding at Long Lane School; said
3259 school shall have an annual average daily population of not more than
3260 two hundred forty residents; or (2) to develop a separate facility for
3261 girls including, but not limited to, acquiring of land or buildings,
3262 designing, constructing, reconstructing, improving or equipping said
3263 facility for use by the Department of Children and Families;

3264 [(l)] (k) "Downtown Hartford higher education center project"
3265 means a project to develop a higher education center, as defined in
3266 subparagraph (B) of subdivision (2) of section 32-600, and as described
3267 in subsection (a) of section 32-612, for the regional community-
3268 technical college system;

3269 [(m)] (l) "Correctional facility project" means any project (1) which is
3270 part of a state program to repair, renovate, enlarge or construct
3271 facilities which are or will be operated by the Department of
3272 Correction, and (2) for which there is an immediate need for

3273 completion in order to remedy prison and jail overcrowding; and

3274 [(n)] (m) "Juvenile detention center project" means any project (1)
3275 which is part of a state program to repair, renovate, enlarge or
3276 construct juvenile detention centers which are or will be operated by
3277 the Judicial Department, and (2) for which there is an immediate need
3278 for completion in order to remedy overcrowding.

3279 Sec. 61. Section 4b-56 of the general statutes is repealed and the
3280 following is substituted in lieu thereof (*Effective July 1, 2013*):

3281 (a) There shall be established within the Department of
3282 [Construction] Administrative Services state construction services
3283 selection panels which shall consist of five members. Four of such
3284 members shall be appointed by the commissioner, shall serve only for
3285 deliberations involving the project for which such members are
3286 appointed, and shall be current or retired employees of the
3287 Department of [Construction] Administrative Services. The remaining
3288 member shall be appointed by the head or acting head of the user
3289 agency and shall serve only for deliberations involving the project for
3290 which such member is appointed.

3291 (b) The selection panels shall not be deemed to be a board or
3292 commission within the meaning of section 4-9a.

3293 [(c) There shall be established within the Department of
3294 Construction Services Connecticut Health and Education Facilities
3295 Authority construction services panels which shall consist of five
3296 members. Three of such members shall be appointed by the
3297 Commissioner of Construction Services, shall serve only for
3298 deliberations involving the project for which such members are
3299 appointed and shall be current employees of the Department of
3300 Construction Services. The remaining members shall be appointed by
3301 the head or acting head of the user agency and shall serve only for
3302 deliberations involving the project for which such members are
3303 appointed.

3304 (d) The panels established pursuant to subsection (c) of this section
3305 shall not be deemed to be a board or commission within the meaning
3306 of section 4-9a. Such panels shall be the selection panels only for
3307 Connecticut Health and Education Facilities Authority projects
3308 pursuant to section 10a-89b.]

3309 [(e)] (c) There shall be established, within the Department of
3310 [Construction] Administrative Services, a State Construction Services
3311 Selection Panel that shall consist of five members. Such members shall
3312 be appointed by the commissioner, shall be current employees of the
3313 Department of [Construction] Administrative Services or any agency
3314 for which consultant services may be contracted, and shall serve only
3315 for deliberations involving the selection of consultants under
3316 subsection (d) of section 4b-51 for which the employees are appointed.

3317 [(f)] (d) The panel established pursuant to subsection [(e)] (c) of this
3318 section shall not be deemed to be a board or commission within the
3319 meaning of section 4-9a.

3320 Sec. 62. Subsection (a) of section 4b-58 of the general statutes is
3321 repealed and the following is substituted in lieu thereof (*Effective July*
3322 *1, 2013*):

3323 (a) (1) Except in the case of a project, [a priority higher education
3324 facility project,] a project, as defined in subdivision (16) of section 10a-
3325 109c, undertaken by The University of Connecticut, a community court
3326 project, a correctional facility project, a juvenile detention center
3327 project, and the downtown Hartford higher education center project,
3328 the commissioner shall negotiate a contract for consultant services with
3329 the firm most qualified, in the commissioner's judgment, at
3330 compensation which the commissioner determines is both fair and
3331 reasonable to the state. (2) In the case of a project, the commissioner
3332 shall negotiate a contract for such services with the most qualified firm
3333 from among the list of firms submitted by the panel at compensation
3334 which the commissioner determines in writing to be fair and

3335 reasonable to the state. If the commissioner is unable to conclude a
3336 contract with any of the firms recommended by the panel, the
3337 commissioner shall, after issuing written findings of fact documenting
3338 the reasons for such inability, negotiate with those firms which the
3339 commissioner determines to be most qualified, at fair and reasonable
3340 compensation, to render the particular consultant services under
3341 consideration. (3) Whenever consultant services are required for [a
3342 priority higher education facility project,] a project involving the
3343 construction, repair or alteration of a building or premises under the
3344 supervision of the Office of the Chief Court Administrator or property
3345 where the Judicial Department is the primary occupant, a community
3346 court project, a correctional facility project, a juvenile detention center
3347 project, or the downtown Hartford higher education center project, the
3348 commissioner shall select and interview at least three consultants or
3349 firms and shall negotiate a contract for consultant services with the
3350 firm most qualified, in the commissioner's judgment, at compensation
3351 which the commissioner determines is both fair and reasonable to the
3352 state, except that if, in the opinion of the commissioner, the
3353 Connecticut Juvenile Training School project needs to be expedited in
3354 order to meet the needs of the Department of Children and Families,
3355 the commissioner may waive such selection requirement. Except for
3356 the downtown Hartford higher education center project, the
3357 commissioner shall notify the State Properties Review Board of the
3358 commissioner's action not later than five business days after such
3359 action for its approval or disapproval in accordance with subsection (i)
3360 of section 4b-23, as amended by this act, except that if, not later than
3361 fifteen days after such notice, a decision has not been made, the board
3362 shall be deemed to have approved such contract.

3363 Sec. 63. Section 4b-91 of the general statutes is repealed and the
3364 following is substituted in lieu thereof (*Effective July 1, 2013*):

3365 (a) Every contract for the construction, reconstruction, alteration,
3366 remodeling, repair or demolition of any public building or any other
3367 public work by the state except a public highway or bridge project or

3368 any other construction project administered by the Department of
3369 Transportation, which is estimated to cost more than five hundred
3370 thousand dollars, except (1) a contract awarded by the Commissioner
3371 of [Construction] Administrative Services for [(1)] (A) a community
3372 court project, as defined in subsection (j) of section 4b-55, as amended
3373 by this act, [(2)] (B) the downtown Hartford higher education center
3374 project, as defined in subsection (l) of section 4b-55, as amended by this
3375 act, [(3)] (C) a correctional facility project, as defined in subsection (m)
3376 of section 4b-55, as amended by this act, [(4)] or (D) a juvenile
3377 detention center project, as defined in subsection (n) of section 4b-55,
3378 as amended by this act, [or (5) a student residential facility for the
3379 Connecticut State University System that is a priority higher education
3380 facility project, as defined in subsection (f) of section 4b-55,] (2) a
3381 school building project for the technical high school system, and (3) a
3382 construction project under the jurisdiction of the Board of Regents for
3383 Higher Education, shall be awarded to the lowest responsible and
3384 qualified general bidder who is prequalified pursuant to section 4a-100
3385 on the basis of competitive bids in accordance with the procedures set
3386 forth in this chapter, after the Commissioner of [Construction]
3387 Administrative Services or, in the case of a contract for the
3388 construction of or work on a building or other public work under the
3389 supervision and control of the Joint Committee on Legislative
3390 Management of the General Assembly, the joint committee [or, in the
3391 case of a contract for the construction of or work on a building or other
3392 public work under the supervision and control of one of the
3393 constituent units of the state system of higher education, the
3394 constituent unit,] has invited such bids by notice posted on the State
3395 Contracting Portal. Every contract for the construction, reconstruction,
3396 alteration, remodeling, repair or demolition of any public building or
3397 any other public work by a public agency that is paid for, in whole or
3398 in part, with state funds and that is estimated to cost more than five
3399 hundred thousand dollars, except a public highway or bridge project
3400 or any other construction project administered by the Department of
3401 Transportation, shall be awarded to a bidder that is prequalified

3402 pursuant to section 4a-100 after the public agency has invited such bids
3403 by notice posted on the State Contracting Portal. The Commissioner of
3404 [Construction] Administrative Services, the joint committee [, the
3405 constituent unit] or the public agency, as the case may be, shall
3406 indicate the prequalification classification required for the contract in
3407 such notice. As used in this section, "prequalification classification"
3408 means the prequalification classifications established by the
3409 Commissioner of Administrative Services pursuant to section 4a-100.
3410 As used in this section, "public agency" means public agency, as
3411 defined in section 1-200.

3412 (b) The Commissioner of [Construction] Administrative Services [,]
3413 or the joint committee, [or the constituent unit,] as the case may be,
3414 shall determine the manner of submission and the conditions and
3415 requirements of such bids, and the time within which the bids shall be
3416 submitted, consistent with the provisions of sections 4b-91 to 4b-96,
3417 inclusive, as amended by this act. Such award shall be made not later
3418 than ninety days after the opening of such bids. If the general bidder
3419 selected as the general contractor fails to perform the general
3420 contractor's agreement to execute a contract in accordance with the
3421 terms of the general contractor's general bid and furnish a performance
3422 bond and also a labor and materials or payment bond to the amount
3423 specified in the general bid form, an award shall be made to the next
3424 lowest responsible and qualified general bidder. No employee of the
3425 Department of [Construction] Administrative Services, the joint
3426 committee or a constituent unit with decision-making authority
3427 concerning the award of a contract and no public official, as defined in
3428 section 1-79, may communicate with any bidder prior to the award of
3429 the contract if the communication results in the bidder receiving
3430 information about the contract that is not available to other bidders,
3431 except that if the lowest responsible and qualified bidder's price
3432 submitted is in excess of funds available to make an award, the
3433 Commissioner of [Construction] Administrative Services [,] or the Joint
3434 Committee on Legislative Management, or the constituent unit, as the

3435 case may be, may negotiate with such bidder and award the contract
3436 on the basis of the funds available, without change in the contract
3437 specifications, plans and other requirements. If the award of a contract
3438 on said basis is refused by such bidder, the Commissioner of
3439 [Construction] Administrative Services [,] or the Joint Committee on
3440 Legislative Management, or the constituent unit, as the case may be,
3441 may negotiate with other contractors who submitted bids in ascending
3442 order of bid prices without change in the contract, specifications, plans
3443 and other requirements. In the event of negotiation with general
3444 bidders as provided in this section, the general bidder involved may
3445 negotiate with subcontractors on the same basis, provided such
3446 general bidder shall negotiate only with subcontractors named on such
3447 general bidder's general bid form.

3448 (c) No person may bid on a contract or perform work pursuant to a
3449 contract that is subject to the provisions of subsection (a) of this section
3450 unless the person is prequalified in accordance with section 4a-100.

3451 (d) Each bid submitted for a contract described in subsection (c) of
3452 this section shall include an update bid statement in such form as the
3453 Commissioner of Administrative Services prescribes and, if required
3454 by the public agency soliciting such bid, a copy of the prequalification
3455 certificate issued by the Commissioner of Administrative Services. The
3456 form for such update bid statement shall provide space for information
3457 regarding all projects completed by the bidder since the date the
3458 bidder's prequalification certificate was issued or renewed, all projects
3459 the bidder currently has under contract, including the percentage of
3460 work on such projects not completed, the names and qualifications of
3461 the personnel who will have supervisory responsibility for the
3462 performance of the contract, any significant changes in the bidder's
3463 financial position or corporate structure since the date the certificate
3464 was issued or renewed, any change in the contractor's qualification
3465 status as determined by the provisions of subdivision (6) of subsection
3466 (c) of section 4a-100 and such other relevant information as the
3467 Commissioner of Administrative Services prescribes. Any bid

3468 submitted without a copy of the prequalification certificate, if required
3469 by the public agency soliciting such bid, and an update bid statement
3470 shall be deemed invalid. Any public agency that accepts a bid
3471 submitted without a copy of such prequalification certificate, if
3472 required by such public agency soliciting such bid, and an update bid
3473 statement may become ineligible for the receipt of funds related to
3474 such bid.

3475 (e) Any person who bids on a contract described in subsection (c) of
3476 this section shall certify under penalty of false statement at the
3477 conclusion of the bidding process that the information in the bid is
3478 true, that there has been no substantial change in the bidder's financial
3479 position or corporate structure since the bidder's most recent
3480 prequalification certificate was issued or renewed, other than those
3481 changes noted in the update bid statement, and that the bid was made
3482 without fraud or collusion with any person.

3483 (f) Any person who receives information from a state employee or
3484 public official that is not available to the general public concerning any
3485 construction, reconstruction, alteration, remodeling, repair or
3486 demolition project on a public building or any other public work prior
3487 to the date that a notice for bids on the project is posted shall be
3488 disqualified from bidding on the project.

3489 (g) Notwithstanding the provisions of this chapter regarding
3490 competitive bidding procedures, the commissioner may select and
3491 interview at least three responsible and qualified general contractors
3492 who are prequalified pursuant to section 4a-100 and submit the three
3493 selected contractors to the construction services award panels process
3494 described in section 4b-100a and any regulation adopted by the
3495 commissioner. The commissioner may negotiate with the successful
3496 bidder a contract which is both fair and reasonable to the state for a
3497 community court project, as defined in subsection (j) of section 4b-55,
3498 as amended by this act, the downtown Hartford higher education
3499 center project, as defined in subsection (l) of section 4b-55, as amended

3500 by this act, a correctional facility project, as defined in subsection (m)
3501 of section 4b-55, as amended by this act, or a juvenile detention center
3502 project, as defined in subsection (n) of section 4b-55, as amended by
3503 this act. [, or a student residential facility for the Connecticut State
3504 University System that is a priority higher education facility project, as
3505 defined in subsection (f) of section 4b-55.] The Commissioner of
3506 [Construction] Administrative Services, prior to entering any such
3507 contract or performing any work on such project, shall submit such
3508 contract to the State Properties Review Board for review and approval
3509 or disapproval by the board, pursuant to subsection (i) of this section.
3510 Any general contractor awarded a contract pursuant to this subsection
3511 shall be subject to the same requirements concerning the furnishing of
3512 bonds as a contractor awarded a contract pursuant to subsection (b) of
3513 this section.

3514 (h) Any agency that seeks to have a project awarded without being
3515 subject to competitive bidding procedures shall certify to the joint
3516 committee of the General Assembly having cognizance of matters
3517 relating to government administration and elections that the project is
3518 of such an emergency nature that an exception to the competitive
3519 bidding procedures of this section is required. Such certification shall
3520 include input from all affected agencies, detail the need for the
3521 exception and include any relevant documentation.

3522 (i) In the event that the General Assembly approves legislation
3523 authorizing an exception to the competitive bidding process for a
3524 project, the State Properties Review Board shall complete a review of
3525 the contract for such project and approve or disapprove such contract
3526 no later than thirty days after the Commissioner of [Construction]
3527 Administrative Services submits such contract to the board. Such
3528 review shall be conducted in accordance with the provisions of section
3529 4b-3, as amended by this act. In the event that such review does not
3530 occur within the thirty-day period prescribed by this subsection, such
3531 contract shall be deemed to be approved.

3532 (j) On and after October 5, 2009, no person whose subcontract
3533 exceeds five hundred thousand dollars in value may perform work as
3534 a subcontractor on a project for the construction, reconstruction,
3535 alteration, remodeling, repair or demolition of any public building or
3536 any other public work by the state or a municipality, except (1) a
3537 public highway or bridge project or any other construction project
3538 administered by the Department of Transportation, which project is
3539 estimated to cost more than five hundred thousand dollars and is paid
3540 for, in whole or in part, with state funds, (2) a school building project
3541 for the technical high school system, and (3) any construction project
3542 under the jurisdiction of the Board of Regents for Higher Education,
3543 unless the person is prequalified in accordance with section 4a-100.
3544 The provisions of this subsection shall not apply to a project described
3545 in subdivision (2) of subsection (a) of this section.

3546 Sec. 64. Section 10-283b of the general statutes is repealed and the
3547 following is substituted in lieu thereof (*Effective July 1, 2013*):

3548 (a) [On and after July 1, 2011, the Commissioner of Construction
3549 Services shall include school building projects for the technical high
3550 schools on the list developed pursuant to section 10-283. The adoption
3551 of the list by the General Assembly and authorization by the State
3552 Bond Commission of the issuance of bonds pursuant to section 10-287d
3553 shall fund the full cost of the projects.] On or after July 1, [2011] 2013,
3554 the Commissioner of [Construction Services, in consultation with the
3555 Commissioner of Education,] Education may approve applications for
3556 grants to assist school building projects for the technical high school
3557 system to remedy damage from fire and catastrophe, to correct safety,
3558 health and other code violations, to replace roofs, to remedy a certified
3559 school indoor air quality emergency, or to purchase and install
3560 portable classroom buildings at any time within the limit of available
3561 grant authorization and to make payments on such a project within the
3562 limit of appropriated funds, provided portable classroom building
3563 projects do not create a new facility or cause an existing facility to be
3564 modified so that the portable buildings comprise a substantial

3565 percentage of the total facility area, as determined by the
3566 Commissioner of [Construction Services. Such projects shall be subject
3567 to the requirements of chapters 59 and 60.] Education. The approval of
3568 applications for grants to assist school building projects for the
3569 technical high school system by the Commissioner of Education and
3570 authorization by the State Bond Commission of the issuance of bonds
3571 pursuant to section 10-287d, as amended by this act, shall fund the full
3572 cost of the projects.

3573 (b) The Department of [Construction Services] Education shall
3574 ensure that an architect and a construction manager or construction
3575 administrator hired to work on a project pursuant to subsection (a) of
3576 this section are not related persons as defined in subdivision (18) of
3577 subsection (a) of section 12-218b.

3578 (c) The State Treasurer is authorized and directed, subject to and in
3579 accordance with the provisions of section 3-20, to issue bonds of the
3580 state from time to time in one or more series for the purposes of school
3581 building projects of technical high schools under this section. Bonds of
3582 each series shall bear such date or dates and mature at such time or
3583 times not exceeding thirty years from their respective dates and be
3584 subject to such redemption privileges, with or without premium, as
3585 may be fixed by the State Bond Commission. They shall be sold at not
3586 less than par and accrued interest and the full faith and credit of the
3587 state is pledged for the payment of the interest thereon and the
3588 principal thereof as the same shall become due, and accordingly and as
3589 part of the contract of the state with the holders of said bonds,
3590 appropriation of all amounts necessary for punctual payment of such
3591 principal and interest is hereby made, and the State Treasurer shall pay
3592 such principal and interest as the same become due. The State
3593 Treasurer is authorized to invest temporarily in direct obligations of
3594 the United States, United States agency obligations, certificates of
3595 deposit, commercial paper or bank acceptances such portion of the
3596 proceeds of such bonds or of any notes issued in anticipation thereof as
3597 may be deemed available for such purpose.

3598 Sec. 65. Subdivision (2) of subsection (a) of section 10-283 of the
3599 general statutes is repealed and the following is substituted in lieu
3600 thereof (*Effective July 1, 2013*):

3601 (2) The Commissioner of Education shall assign each school
3602 building project to a category on the basis of whether such project is
3603 primarily required to: (A) Create new facilities or alter existing
3604 facilities to provide for mandatory instructional programs pursuant to
3605 this chapter, for physical education facilities in compliance with Title
3606 IX of the Elementary and Secondary Education Act of 1972 where such
3607 programs or such compliance cannot be provided within existing
3608 facilities or for the correction of code violations which cannot be
3609 reasonably addressed within existing program space; (B) create new
3610 facilities or alter existing facilities to enhance mandatory instructional
3611 programs pursuant to this chapter or provide comparable facilities
3612 among schools to all students at the same grade level or levels within
3613 the school district unless such project is otherwise explicitly included
3614 in another category pursuant to this section; and (C) create new
3615 facilities or alter existing facilities to provide supportive services,
3616 provided in no event shall such supportive services include swimming
3617 pools, auditoriums, outdoor athletic facilities, tennis courts,
3618 elementary school playgrounds, site improvement or garages or
3619 storage, parking or general recreation areas. All applications submitted
3620 prior to July first shall be reviewed promptly by the Commissioner of
3621 Education, who shall forward such application to the Commissioner of
3622 [Construction] Administrative Services. The Commissioner of
3623 [Construction] Administrative Services shall estimate the amount of
3624 the grant for which such project is eligible, in accordance with the
3625 provisions of section 10-285a, provided an application for a school
3626 building project determined by the Commissioner of Education to be a
3627 project that will assist the state in meeting the goals of the 2008
3628 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al.,
3629 shall have until September first to submit an application for such a
3630 project and may have until December first of the same year to secure

3631 and report all local and state approvals required to complete the grant
3632 application. The Commissioner of [Construction] Administrative
3633 Services shall annually prepare a listing of all such eligible school
3634 building projects listed by category together with the amount of the
3635 estimated grants for such projects and shall submit the same to the
3636 Governor, the Secretary of the Office of Policy and Management and
3637 the General Assembly on or before the fifteenth day of December,
3638 except as provided in section 10-283a, with a request for authorization
3639 to enter into grant commitments. On or before December thirty-first
3640 annually, the Secretary of the Office of Policy and Management shall
3641 submit comments and recommendations regarding each eligible
3642 project on such listing of eligible school building projects to the school
3643 construction committee, established pursuant to section 10-283a. Each
3644 such listing submitted after December 15, 2005, until December 15,
3645 2010, inclusive, shall include a separate schedule of authorized projects
3646 which have changed in scope or cost to a degree determined by the
3647 Commissioner of Education once, and a separate schedule of
3648 authorized projects which have changed in scope or cost to a degree
3649 determined by said commissioner twice. Any such listing submitted
3650 after December 15, 2010, until December 15, 2011, inclusive, shall
3651 include a separate schedule of authorized projects which have changed
3652 in scope or cost to a degree determined by the Commissioner of
3653 [Construction] Administrative Services once, and a separate schedule
3654 of authorized projects which have changed in scope or cost to a degree
3655 determined by said commissioner twice. On and after July 1, 2011,
3656 each such listing shall include a report on the review conducted by the
3657 Commissioner of Education of the enrollment projections for each such
3658 eligible project. For the period beginning July 1, 2006, and ending June
3659 30, 2012, no project, other than a project for a technical high school,
3660 may appear on the separate schedule of authorized projects which
3661 have changed in cost more than twice. [On and after] For the period
3662 beginning July 1, 2012, and ending June 30, 2012, no project, other than
3663 a project for a technical high school, may appear on the separate
3664 schedule of authorized projects which have changed in cost more than

3665 once, except the Commissioner of [Construction] Administrative
3666 Services may allow a project to appear on such separate schedule of
3667 authorized projects a second time if the town or regional school district
3668 for such project can demonstrate that exigent circumstances require
3669 such project to appear a second time on such separate schedule of
3670 authorized projects. On and after July 1, 2013, no project may appear
3671 on the separate schedule of authorized projects which have changed in
3672 cost more than once, except the Commissioner of Administrative
3673 Services may allow a project to appear on such separate schedule of
3674 authorized projects a second time if the town or regional school district
3675 for such project can demonstrate that exigent circumstances require
3676 such project to appear a second time on such separate schedule of
3677 authorized projects. Notwithstanding any provision of this chapter, no
3678 projects which have changed in scope or cost to the degree determined
3679 by the Commissioner of [Construction] Administrative Services, in
3680 consultation with the Commissioner of Education, shall be eligible for
3681 reimbursement under this chapter unless it appears on such list. The
3682 percentage determined pursuant to section 10-285a at the time a school
3683 building project on such schedule was originally authorized shall be
3684 used for purposes of the grant for such project. On and after July 1,
3685 2006, a project that was not previously authorized as an interdistrict
3686 magnet school shall not receive a higher percentage for reimbursement
3687 than that determined pursuant to section 10-285a at the time a school
3688 building project on such schedule was originally authorized. The
3689 General Assembly shall annually authorize the Commissioner of
3690 [Construction] Administrative Services to enter into grant
3691 commitments on behalf of the state in accordance with the
3692 commissioner's categorized listing for such projects as the General
3693 Assembly shall determine. The Commissioner of [Construction]
3694 Administrative Services may not enter into any such grant
3695 commitments except pursuant to such legislative authorization. Any
3696 regional school district which assumes the responsibility for
3697 completion of a public school building project shall be eligible for a
3698 grant pursuant to subdivision (5) or (6), as the case may be, of

3699 subsection (a) of section 10-286 when such project is completed and
3700 accepted by such regional school district.

3701 Sec. 66. Section 10-287d of the general statutes is repealed and the
3702 following is substituted in lieu thereof (*Effective July 1, 2013*):

3703 For the purposes of funding (1) grants to projects that have received
3704 approval of the Department of [Construction] Administrative Services
3705 pursuant to sections 10-287 and 10-287a, subsection (a) of section 10-65
3706 and section 10-76e, and (2) grants to assist school building projects to
3707 remedy safety and health violations and damage from fire and
3708 catastrophe, [and (3) technical high school projects pursuant to section
3709 10-283b,] the State Treasurer is authorized and directed, subject to and
3710 in accordance with the provisions of section 3-20, to issue bonds of the
3711 state from time to time in one or more series in an aggregate amount
3712 not exceeding nine billion one hundred forty-five million nine
3713 hundred sixty thousand dollars, provided five hundred eighty-four
3714 million dollars of said authorization shall be effective July 1, 2012.
3715 Bonds of each series shall bear such date or dates and mature at such
3716 time or times not exceeding thirty years from their respective dates
3717 and be subject to such redemption privileges, with or without
3718 premium, as may be fixed by the State Bond Commission. They shall
3719 be sold at not less than par and accrued interest and the full faith and
3720 credit of the state is pledged for the payment of the interest thereon
3721 and the principal thereof as the same shall become due, and
3722 accordingly and as part of the contract of the state with the holders of
3723 said bonds, appropriation of all amounts necessary for punctual
3724 payment of such principal and interest is hereby made, and the State
3725 Treasurer shall pay such principal and interest as the same become
3726 due. The State Treasurer is authorized to invest temporarily in direct
3727 obligations of the United States, United States agency obligations,
3728 certificates of deposit, commercial paper or bank acceptances such
3729 portion of the proceeds of such bonds or of any notes issued in
3730 anticipation thereof as may be deemed available for such purpose.

3731 Sec. 67. Subsection (a) of section 10a-6 of the general statutes is
3732 repealed and the following is substituted in lieu thereof (*Effective July*
3733 *1, 2013*):

3734 (a) The Board of Regents for Higher Education shall: (1) Establish
3735 state-wide policy and guidelines for Connecticut's system of public
3736 higher education; (2) develop a master plan for higher education and
3737 postsecondary education, consistent with the goals in subsection (b) of
3738 this section; (3) establish state-wide tuition and student fee policies; (4)
3739 establish state-wide student financial aid policies; (5) monitor and
3740 evaluate institutional effectiveness and viability in accordance with
3741 criteria established by the board; (6) merge or close institutions within
3742 the Connecticut State University System, the regional community-
3743 technical college system and the Board for State Academic Awards in
3744 accordance with criteria established by the board, provided (A) such
3745 recommended merger or closing shall require a two-thirds vote of the
3746 board and (B) notice of such recommended merger or closing shall be
3747 sent to the committee having cognizance over matters relating to
3748 education and to the General Assembly; (7) review and approve
3749 mission statements for the Connecticut State University System, the
3750 regional community-technical college system and the Board for State
3751 Academic Awards and role and scope statements for the individual
3752 institutions and campuses of such constituent units; (8) review and
3753 approve any recommendations for the establishment of new academic
3754 programs submitted to the board by the constituent unit boards of
3755 trustees, and, in consultation with the affected constituent units,
3756 provide for the initiation, consolidation or termination of academic
3757 programs. The Board of Regents for Higher Education shall notify the
3758 board of trustees affected by the proposed termination of an academic
3759 program. Within ninety days of receipt of such notice, said trustees
3760 shall accept or reject the termination proposal and shall notify the
3761 Board of Regents for Higher Education of its action. If the termination
3762 proposal is rejected by the trustees, the Board of Regents for Higher
3763 Education may override the rejection by a two-thirds vote; (9) develop

3764 criteria to ensure acceptable quality in programs and institutions and
3765 enforce standards through licensing and accreditation; (10) prepare
3766 and present to the Governor and General Assembly, in accordance
3767 with section 10a-8, consolidated operating and capital expenditure
3768 budgets for public higher education developed in accordance with the
3769 provisions of said section 10a-8; (11) review and make
3770 recommendations on plans received from the constituent unit boards
3771 of trustees for the continuing development and maximum utilization
3772 of the state's public higher education resources; (12) appoint advisory
3773 committees to assist in defining and suggesting solutions for the
3774 problems and needs of higher education; (13) establish an advisory
3775 council for higher education with representatives from public and
3776 private institutions to study methods and proposals for coordinating
3777 efforts of all such institutions in providing a stimulating and enriched
3778 educational environment for the citizens of the state, including
3779 measures to improve educational opportunities through alternative
3780 and nontraditional approaches such as external degrees and credit by
3781 examination; (14) coordinate programs and services throughout public
3782 higher education and between public and independent institutions,
3783 including procedures to evaluate the impact on independent
3784 institutions of higher education of proposals affecting public
3785 institutions of higher education; (15) make or enter into contracts,
3786 leases or other agreements in connection with its responsibilities under
3787 this part; [provided all acquisitions of real estate by lease or otherwise
3788 shall be subject to the provisions of section 4b-23;] (16) be responsible
3789 for the care and maintenance of permanent records of institutions of
3790 higher education dissolved after September 1, 1969; (17) prepare and
3791 present to the Governor and General Assembly legislative proposals
3792 affecting public higher education, including proposals which utilize
3793 programs and facilities of independent institutions of higher
3794 education; (18) develop and maintain a central higher education
3795 information system and establish definitions and data requirements for
3796 the state system of higher education; and (19) undertake such studies
3797 and other activities as will best serve the higher educational interests

3798 of the state.

3799 Sec. 68. Subsection (a) of section 10a-72 of the general statutes is
3800 repealed and the following is substituted in lieu thereof (*Effective July*
3801 *1, 2013*):

3802 (a) Subject to state-wide policy and guidelines established by the
3803 Board of Regents for Higher Education, said board of trustees shall
3804 administer the regional community-technical colleges and plan for the
3805 expansion and development of the institutions within its jurisdiction.
3806 The Commissioner of Administrative Services on request of the board
3807 of trustees shall, in accordance with section 4b-30, negotiate and
3808 execute leases on such physical facilities as the board of trustees may
3809 deem necessary for proper operation of such institutions, and said
3810 board of trustees may expend capital funds therefor, if such leasing is
3811 required during the planning and construction phases of institutions
3812 within its jurisdiction for which such capital funds were authorized.
3813 The board of trustees may appoint and remove the chief executive
3814 officer of each institution within its jurisdiction. The board of trustees
3815 may employ the faculty and other personnel needed to operate and
3816 maintain the institutions within its jurisdiction. Within the limitation
3817 of appropriations, the board of trustees shall fix the compensation of
3818 such personnel, establish terms and conditions of employment and
3819 prescribe their duties and qualifications. Said board of trustees shall
3820 determine who constitutes its professional staff and establish
3821 compensation and classification schedules for its professional staff.
3822 Said board shall annually submit to the [Commissioner of
3823 Administrative Services] Secretary of the Office of Policy and
3824 Management a list of the positions which it has included within the
3825 professional staff. The board shall establish a division of technical and
3826 technological education. The board of trustees shall confer such
3827 certificates and degrees as are appropriate to the curricula of
3828 community-technical colleges. The board of trustees shall prepare
3829 plans for the development of a regional community-technical college
3830 and [submit the same to the Commissioners of Administrative Services

3831 and Construction Services and request said commissioners to] select
3832 the site for such college. [Within the limits of the bonding authority
3833 therefor, the Commissioner of Administrative Services, subject to the
3834 provisions of section 4b-23,] The board of trustees may acquire such
3835 site and [the Commissioner of Construction Services may] construct
3836 such buildings as are consistent with the plan of development. The
3837 board of trustees may charge the direct costs for a building project
3838 under its jurisdiction to the bond fund account for such project,
3839 provided (1) such costs are charged in accordance with a procedure
3840 approved by the Treasurer, and (2) nothing in this subdivision shall
3841 permit the charging of working capital costs, as defined in the
3842 applicable provisions of the Internal Revenue Code of 1986, or any
3843 subsequent corresponding internal revenue code of the United States,
3844 as from time to time amended, or costs originally paid from sources
3845 other than the bond fund account.

3846 Sec. 69. Subsection (a) of section 10a-89 of the general statutes is
3847 repealed and the following is substituted in lieu thereof (*Effective July*
3848 *1, 2013*):

3849 (a) Subject to state-wide policy and guidelines established by the
3850 Board of Regents for Higher Education, the board of trustees shall
3851 provide for the administration of the Connecticut State University
3852 System, plan for the expansion and development of the institutions
3853 within its jurisdiction [, and submit such plans to the Commissioner of
3854 Administrative Services for review and recommendations. The
3855 Commissioner of Administrative Services upon request of the board of
3856 trustees shall, in accordance with section 4b-30,] and charge the direct
3857 costs for a building project under its jurisdiction to the bond fund
3858 account for such project, provided (1) such costs are charged in
3859 accordance with a procedure approved by the Treasurer, and (2)
3860 nothing in this subdivision shall permit the charging of working
3861 capital costs, as defined in the applicable provisions of the Internal
3862 Revenue Code of 1986, or any subsequent corresponding internal
3863 revenue code of the United States, as from time to time amended, or

3864 costs originally paid from sources other than the bond fund account.
3865 The board of trustees shall negotiate and execute leases on such
3866 physical facilities as the board [of trustees] may deem necessary for
3867 proper operation of such institutions, and the board [of trustees] may,
3868 with the permission of [the Commissioner of Administrative Services
3869 and] the State Properties Review Board, expend capital funds therefor
3870 if such leasing is required during the planning and construction phases
3871 of institutions within its jurisdiction for which such capital funds were
3872 authorized. Subject to such policies as may be established by the board
3873 of trustees, the chief executive officer of each institution within the
3874 jurisdiction of the board may make buildings and other facilities under
3875 its control available to nonprofit and other organizations or to
3876 individuals for temporary uses not inconsistent with the educational
3877 purpose of the institution. The board of trustees may appoint or
3878 remove the chief executive officer of each institution within its
3879 jurisdiction, and with respect to its own operation the board of trustees
3880 may appoint and remove executive staff. The board of trustees may
3881 employ faculty and other personnel needed to maintain and operate
3882 the institutions within its jurisdiction. Within the limitation of
3883 appropriations, the board of trustees shall fix the compensation of such
3884 personnel, establish terms and conditions of employment and
3885 prescribe their duties and qualifications. The board of trustees shall
3886 determine who constitutes its professional staff and establish
3887 compensation and classification schedules for its professional staff. The
3888 board of trustees shall annually submit to the [Commissioner of
3889 Administrative Services] Secretary of the Office of Policy and
3890 Management a list of the positions which it has included within the
3891 professional staff. The board of trustees may appoint one or more
3892 physicians for the Connecticut State University System and shall
3893 provide such physicians with suitable facilities for the performance of
3894 such duties as it prescribes. Subject to state-wide policy and guidelines
3895 established by the Board of Regents for Higher Education, the board of
3896 trustees shall: (1) Make rules for the government of the Connecticut
3897 State University System and shall determine the general policies of the

3898 university system, including those concerning the admission of
3899 students and the expenditure of the funds of institutions under its
3900 jurisdiction within the amounts available; (2) develop the mission
3901 statement for the university system which shall include, but not be
3902 limited to the following elements: (A) The educational needs of and
3903 constituencies served by the institutions within its jurisdiction; (B) the
3904 degrees offered by such institutions; and (C) the role and scope of each
3905 institution within the university system, which shall include each
3906 institution's particular strengths and specialties; (3) establish policies
3907 for the university system and for the individual institutions under its
3908 jurisdiction; (4) make institutional mergers or closures; (5) coordinate
3909 the programs and services of the institutions under its jurisdiction; (6)
3910 be authorized to enter into agreements, consistent with the provisions
3911 of section 5-141d, to save harmless and indemnify sponsors of research
3912 grants to institutions under its jurisdiction, provided such an
3913 agreement is required to receive the grant and limits liability to
3914 damages or injury resulting from acts or omissions related to such
3915 research by employees of such institutions; (7) promote fund-raising
3916 by the institutions under its jurisdiction in order to assist such
3917 institutions and report to the joint standing committee of the General
3918 Assembly having cognizance of matters relating to higher education
3919 by January 1, 1994, and biennially thereafter, on all such fund-raising;
3920 and (8) charge the direct costs for a building project under its
3921 jurisdiction to the bond fund account for such project, provided (A)
3922 such costs are charged in accordance with a procedure approved by
3923 the Treasurer; and (B) nothing in this subdivision shall permit the
3924 charging of working capital, as defined in the applicable provisions of
3925 the Internal Revenue Code of 1986, or any subsequent corresponding
3926 internal revenue code of the United States, as from time to time
3927 amended, or costs originally paid from sources other than the bond
3928 fund account.

3929 Sec. 70. Section 10a-90 of the general statutes is repealed and the
3930 following is substituted in lieu thereof (*Effective July 1, 2013*):

3931 The Board of Trustees for the Connecticut State University System,
3932 with the approval of the Governor and the Secretary of the Office of
3933 Policy and Management, may lease state-owned land under its care,
3934 custody or control to private developers for construction of dormitory
3935 buildings, provided such developers agree to lease such buildings to
3936 such board of trustees with an option to purchase [and provided
3937 further that any such agreement to lease is subject to the provisions of
3938 section 4b-23,] prior to the making of the original lease by the board of
3939 trustees. The plans for such buildings shall be subject to approval of
3940 such board [the Commissioner of Construction Services] and the State
3941 Properties Review Board [and such leases shall be for the periods and
3942 upon such terms and conditions as the Commissioner of
3943 Administrative Services determines,] and such buildings, while
3944 privately owned, shall be subject to taxation by the town in which they
3945 are located. The Board of Trustees for the Connecticut State University
3946 System may also deed, transfer or lease state-owned land under its
3947 care, custody or control to the State of Connecticut Health and
3948 Educational Facilities Authority for financing or refinancing the
3949 planning, development, acquisition and construction and equipping of
3950 dormitory buildings and student housing facilities and to lease or
3951 sublease such dormitory buildings or student housing facilities and
3952 authorize the execution of financing leases of land, interests therein,
3953 buildings and fixtures in order to secure obligations to repay any loan
3954 from the State of Connecticut Health and Educational Facilities
3955 Authority from the proceeds of bonds issued thereby pursuant to the
3956 provisions of chapter 187 made by the authority to finance or refinance
3957 the planning, development, acquisition and construction of dormitory
3958 buildings. Any such financing lease shall not be subject to the
3959 provisions of section 4b-23, as amended by this act, and the plans for
3960 such dormitories shall be subject only to the approval of the board.
3961 Such financing leases shall be for such periods and upon such terms
3962 and conditions that the board shall determine. Any state property so
3963 leased shall not be subject to local assessment and taxation and such
3964 state property shall be included as property of the Connecticut State

3965 University System for the purpose of computing a grant in lieu of taxes
3966 pursuant to section 12-19a.

3967 Sec. 71. Subsection (a) of section 10a-91 of the general statutes is
3968 repealed and the following is substituted in lieu thereof (*Effective July*
3969 *1, 2013*):

3970 (a) The Board of Trustees of the Connecticut State University
3971 System, with the approval of the Governor [, the Commissioner of
3972 Administrative Services] and the State Properties Review Board, may
3973 lease land or buildings under its care, custody or control to private
3974 developers for rental housing and commercial establishments. Such
3975 leases shall be for periods and upon such terms and conditions,
3976 including, but not limited to, provision for adequate liability insurance
3977 to be maintained by the lessee for the benefit of the state and rental
3978 terms [, as may be determined by the Commissioner of Administrative
3979 Services] and, in the case of a lease of land, may provide for the
3980 construction of buildings thereon to be used for rental housing and
3981 commercial establishments, the plans of which shall be subject to the
3982 approval of the board of trustees [, the Commissioner of Construction
3983 Services] and the State Properties Review Board. Said board of trustees
3984 may provide for water, heat and waste disposal services on a cost-
3985 reimbursement basis to such leased premises. Said board may
3986 designate the kinds of concessions for supplying goods, commodities,
3987 services and facilities to be permitted on such land and may select the
3988 permittees, or said board may delegate such functions to the private
3989 developers with which it contracts pursuant to this section.

3990 Sec. 72. Subdivision (3) of section 10a-91c of the general statutes is
3991 repealed and the following is substituted in lieu thereof (*Effective July*
3992 *1, 2013*):

3993 (3) "Cost", as applied to a project or any portion of a project,
3994 includes, but is not limited to: The purchase price or acquisition cost of
3995 any such project; the cost of planning, designing, constructing,

3996 building, altering, enlarging, reconstructing, renovating, improving,
 3997 equipping and remodeling; the cost of all labor, materials, building
 3998 systems, machinery and equipment; the cost of all lands, structures,
 3999 real or personal property, rights, easements and franchises acquired;
 4000 the cost of all utility extensions, access roads, site developments,
 4001 financing charges, premiums for insurance; the cost of working capital
 4002 related to a project; [, including the cost of Department of Construction
 4003 Services administrative functions provided for in subsection (d) of
 4004 section 10a-91d;] the cost of plans and specifications, surveys and
 4005 estimates of cost and of revenues; the cost of accountants, audits,
 4006 engineering, feasibility studies, legal and other professional consulting
 4007 or technical services; the cost of all other expenses necessary or
 4008 incident to determining the feasibility or practicability of such
 4009 construction; and administrative and operating expenses and such
 4010 other expenses as may be necessary or incidental to the financing
 4011 authorized by sections 10a-91c to 10a-91h, inclusive, as amended by
 4012 this act. "Cost" does not include the cost of administrative functions
 4013 provided by the system pursuant to sections 10a-91a to 10a-91h,
 4014 inclusive.

4015 Sec. 73. Section 10a-91d of the general statutes is repealed and the
 4016 following is substituted in lieu thereof (*Effective July 1, 2013*):

4017 (a) It is hereby determined and found to be in the best interest of
 4018 this state and the system to establish CSUS 2020 as the efficient and
 4019 cost-effective course to achieve the objective of renewing,
 4020 modernizing, enhancing, expanding, acquiring and maintaining the
 4021 infrastructure of the system, the particular project or projects, each
 4022 being hereby approved as a project of CSUS 2020, and the presently
 4023 estimated cost thereof being as follows:

| | | | |
|----|--------------|--------------|--------------|
| T1 | Phase I | Phase II | Phase III |
| T2 | Fiscal Years | Fiscal Years | Fiscal Years |
| T3 | Ending | Ending | Ending |

| | | June 30, 2009-2011 | June 30, 2012-2014 | June 30, 2015-2018 |
|-----|--------------------------------|-----------------------|-----------------------|-----------------------|
| T4 | | | | |
| T5 | | | | |
| T6 | Central Connecticut State | | | |
| T7 | University | | | |
| T8 | Code Compliance/ | | | |
| T9 | Infrastructure Improvements | 18,146,445 | 6,704,000 | 5,000,000 |
| T10 | Renovate/Expand Willard | | | |
| T11 | and DiLoreto Halls | | | |
| T12 | (design/construction) | | 57,737,000 | |
| T13 | Renovate/Expand Willard and | | | |
| T14 | DiLoreto Halls | | | |
| T15 | (equipment) | | | 3,348,000 |
| T16 | New Classroom Office Building | 33,978,000 | | |
| T17 | East Campus Infrastructure | | | |
| T18 | Development | 13,244,000 | | |
| T19 | Burritt Library Expansion | | | |
| T20 | (design/construction) | | | 96,262,000 |
| T21 | Burritt Library Renovation | | | |
| T22 | (design) | | | 11,387,000 |
| T23 | New Maintenance/Salt Shed | | | |
| T24 | Facility | 2,503,000 | | |
| T25 | | | | |
| T26 | Eastern Connecticut State | | | |
| T27 | University | | | |
| T28 | Code Compliance/ | | | |
| T29 | Infrastructure Improvements | 8,255,113 | 5,825,000 | 5,000,000 |
| T30 | Fine Arts Instructional Center | | | |
| T31 | (design) | 12,000,000 | | |
| T32 | Fine Arts Instructional Center | | | |

| | | | | |
|-----|--------------------------------|------------|------------|-----------|
| T33 | (construction) | 71,556,000 | | |
| T34 | Fine Arts Instructional Center | | | |
| T35 | (equipment) | | 4,115,000 | |
| T36 | Goddard Hall Renovation | | | |
| T37 | (design/construction) | 19,239,000 | | |
| T38 | Goddard Hall Renovation | | | |
| T39 | (equipment) | | 1,095,000 | |
| T40 | Sports Center Addition and | | | |
| T41 | Renovation (design) | | 11,048,000 | |
| T42 | Outdoor Track-Phase II | 1,816,000 | | |
| T43 | Athletic Support Building | 1,921,000 | | |
| T44 | New Warehouse | 2,269,000 | | |
| T45 | | | | |
| T46 | Southern Connecticut State | | | |
| T47 | University | | | |
| T48 | Code Compliance/ | | | |
| T49 | Infrastructure Improvements | 16,955,915 | 8,637,000 | 5,000,000 |
| T50 | New Academic Laboratory | | | |
| T51 | Building/Parking Garage | | | |
| T52 | (construct garage, | | | |
| T53 | design academic laboratory | | | |
| T54 | building, demolish Seabury | | | |
| T55 | Hall) | 8,944,000 | | |
| T56 | New Academic Laboratory | | | |
| T57 | Building/Parking Garage | | | |
| T58 | (construct academic laboratory | | | |
| T59 | building) | | 63,171,000 | |
| T60 | Health and Human Services | | | |
| T61 | Building | | 60,412,000 | |

| | | | | |
|-----|--------------------------------|------------|------------|------------|
| T62 | Additions and Renovations to | | | |
| T63 | Buley Library | 16,386,585 | | |
| T64 | Fine Arts Instructional Center | | | 70,929,000 |
| T65 | | | | |
| T66 | Western Connecticut State | | | |
| T67 | University | | | |
| T68 | Code Compliance/ | | | |
| T69 | Infrastructure Improvements | 7,658,330 | 4,323,000 | 7,212,000 |
| T70 | Fine Arts Instructional Center | | | |
| T71 | (construction) | 80,605,000 | | |
| T72 | Fine Arts Instructional Center | | | |
| T73 | (equipment) | | 4,666,000 | |
| T74 | Higgins Hall Renovations | | | |
| T75 | (design) | | 2,982,000 | |
| T76 | Higgins Hall Renovations | | | |
| T77 | (construction/equipment) | | | 31,594,000 |
| T78 | Berkshire Hall Renovations | | | |
| T79 | (design) | | | 4,797,000 |
| T80 | University Police Department | | | |
| T81 | Building (design) | 500,000 | | |
| T82 | University Police Department | | | |
| T83 | Building (construction) | | 4,245,000 | |
| T84 | Midtown Campus Mini-Chiller | | | |
| T85 | Plant | | | 1,957,000 |
| T86 | State University System | | | |
| T87 | New and Replacement | | | |
| T88 | Equipment | 26,895,000 | 14,500,000 | 31,844,000 |
| T89 | Alterations/Improvements: | | | |
| T90 | Auxiliary Service Facilities | 18,672,422 | 15,000,000 | 20,000,000 |

| | | | | |
|-----|-------------------------------|-------------|-------------|-------------|
| T91 | Telecommunications | | | |
| T92 | Infrastructure Upgrade | 10,000,000 | 3,415,000 | 5,000,000 |
| T93 | Land and Property Acquisition | 4,250,190 | 3,000,000 | 4,000,000 |
| T94 | | | | |
| T95 | Totals | 285,000,000 | 285,000,000 | 380,000,000 |

4024 (b) The plan of funding CSUS 2020 shall be from the proceeds of
 4025 general obligation bonds of the state in an amount authorized
 4026 pursuant to subsection (a) of section 10a-91e. The proceeds of the
 4027 general obligation bonds issued pursuant to section 10a-91e shall be
 4028 deposited into the CSUS 2020 Fund.

4029 (c) With respect to CSUS 2020 and within the authorized funding
 4030 amount, the board of trustees may, from time to time, and shall,
 4031 whenever appropriate or necessary, revise, delete or add a particular
 4032 project or projects, provided (1) a formal approving vote of the board
 4033 of trustees shall be needed for (A) a revision that deviates from the
 4034 estimated costs of projects pursuant to subsection (a) of this section in
 4035 an amount that is less than (i) ten per cent of such costs for a project
 4036 with an estimated cost of one million dollars or lower, or (ii) five per
 4037 cent of such costs for a project with an estimated cost of more than one
 4038 million dollars, provided such change in the costs does not include
 4039 changes in the costs of materials, (B) a deletion, or (C) an addition
 4040 dictated by a change in system planning as determined by the board of
 4041 trustees or otherwise necessary because of reasons beyond the control
 4042 of the system, (2) any revision shall be subject only to such formal
 4043 approval of the board of trustees as long as the board of trustees finds
 4044 and determines that such revision is consistent with the intent or
 4045 purpose of the original project, and (3) (A) a revision that deviates
 4046 from the estimated costs of projects pursuant to subsection (a) of this
 4047 section in an amount that is equal to or greater than (i) ten per cent of
 4048 such costs for a project with an estimated cost of one million dollars or
 4049 lower, or (ii) five per cent of such costs for a project with an estimated
 4050 cost of more than one million dollars, provided such change in the

4051 costs does not include changes in the costs of materials, (B) an
4052 addition, or (C) a deletion shall be conditioned not only upon such
4053 formal approval of the board of trustees but also upon a request by the
4054 board of trustees for, and enactment of, a subsequent public or special
4055 act approving such addition or deletion, if such addition is to add a
4056 project not outlined in subsection (a) of this section or the deletion is
4057 the deletion of a project outlined in subsection (a) of this section.
4058 Furthermore, with respect to CSUS 2020 and subject to the limitations
4059 in the authorized funding amount, the board of trustees may
4060 determine the sequencing and timing of such project or projects, revise
4061 estimates of cost and reallocate from any amounts estimated in
4062 subsection (a) of this section, for one or more projects to one or more
4063 other projects then constituting a component of CSUS 2020 as long as,
4064 at the time of such reallocation, it has found that any such project to
4065 which a reallocation is made has been revised or added in accordance
4066 with this section and such project from which a reallocation is made
4067 either has been so revised or added and can be completed within the
4068 amounts remaining allocated to it, or has been so deleted. The board of
4069 trustees' actions under this section shall be included in reports to the
4070 Governor and the General Assembly under section 10a-91f. If the
4071 board of trustees requests a revision, addition or deletion pursuant to
4072 subdivision (3) of this subsection, the board of trustees shall submit
4073 such request to the Governor at the same time that the request is
4074 submitted to the General Assembly.

4075 [(d) (1) In accordance with the provisions of chapters 59 and 60, the
4076 Commissioner of Construction Services shall be responsible for the
4077 duties as specified in said provisions, and, on a quarterly basis, the
4078 commissioner shall provide the system with information needed for
4079 compliance with sections 10a-91a to 10a-91h, inclusive, including, but
4080 not limited to, costs, timeliness of completion of projects and any
4081 issues that have developed in implementation of any project under the
4082 commissioner's jurisdiction.

4083 (2) Not later than January 1, 2009, and annually thereafter, the

4084 Commissioner of Construction Services shall, in accordance with
4085 section 11-4a, report to the Governor and the General Assembly on any
4086 (A) construction management services costs, (B) administrative
4087 services costs, and (C) costs of fees associated with CSUS 2020.

4088 (e) The Commissioner of Construction Services and the system shall
4089 enter into and maintain a memorandum of understanding that shall
4090 provide for the assignment of personnel from the Department of
4091 Construction Services to ensure that buildings or projects that are part
4092 of the CSUS 2020 program are designed and constructed in compliance
4093 with the Fire Safety Code and the State Building Code with respect to
4094 buildings or building projects that (1) are part of CSUS 2020, as
4095 authorized by sections 10a-91a to 10a-91h, inclusive, (2) do not meet
4096 the threshold limits, as defined in section 29-276b, and (3) construction
4097 of which is initiated during the period of time in which the
4098 memorandum is in effect.

4099 (f) The board of trustees shall request, in writing, approval from the
4100 Department of Construction Services for any acquisition or purchase of
4101 equipment, furniture or personal property using funds provided
4102 pursuant to sections 10a-91a to 10a-91h, inclusive. Such purchases or
4103 acquisitions shall require specific approval by the Commissioner of
4104 Construction Services, or shall be deemed approved not later than
4105 thirty days after such request for approval, if the commissioner has not
4106 rejected the request.]

4107 Sec. 74. Section 4-230 of the general statutes is repealed and the
4108 following is substituted in lieu thereof (*Effective July 1, 2013*):

4109 As used in sections 4-230 to 4-236, inclusive:

4110 (1) "Cognizant agency" means a state agency which is assigned by
4111 the secretary the responsibility for implementing the requirements of
4112 sections 4-230 to 4-236, inclusive;

4113 (2) "Secretary" means the Secretary of the Office of Policy and

4114 Management;

4115 (3) "State financial assistance" means assistance that a nonstate
4116 entity receives or administers which is provided by a state agency or
4117 pass-through entity in the form of grants, contracts, loans, loan
4118 guarantees, property, cooperative agreements, interest subsidies,
4119 insurance or direct appropriations, but does not include direct state
4120 cash assistance to individuals or payments to a vendor;

4121 (4) "State agency" means any department, board, commission,
4122 institution or other agency of the state;

4123 (5) "Generally accepted accounting principles" has the meaning
4124 specified in the generally accepted auditing standards issued by the
4125 American Institute of Certified Public Accountants (AICPA);

4126 (6) "Generally accepted government auditing standards" (GAGAS)
4127 means the generally accepted government auditing standards issued
4128 by the Comptroller General of the United States that are applicable to
4129 financial audits;

4130 (7) "Independent auditor" means a public accountant who is
4131 licensed to practice in the state and meets the independence standards
4132 included in generally accepted government auditing standards;

4133 (8) "Internal controls" means a process, effected by an entity's board
4134 of directors, management and other personnel, designed to provide
4135 reasonable assurance regarding the achievement of objectives in: (A)
4136 Reliability of financial reporting, (B) effectiveness and efficiency of
4137 operations, and (C) compliance with applicable laws and regulations;

4138 (9) "Municipality" means a town, consolidated town and city,
4139 consolidated town and borough, city or borough, including a local
4140 board of education as described in subsection (c) of section 7-392;

4141 (10) "Audited agency" means a district, as defined in section 7-324,
4142 the Metropolitan District of Hartford County, a regional board of

4143 education, a regional planning agency, any other political subdivision
4144 of similar character which is created or any other agency created or
4145 designated by a municipality to act for such municipality whose
4146 annual receipts from all sources exceed one million dollars; [or any
4147 tourism district established under section 10-397;]

4148 (11) "Nonprofit agency" means any organization that is not a for-
4149 profit business and provides services contracted for by (A) the state or
4150 (B) a nonstate entity. It also means private institutions of higher
4151 learning which receive state financial assistance;

4152 (12) "Major state program" means any program, excluding an
4153 exempt program, determined to be a major state program by the
4154 independent auditor pursuant to the requirements of the risk-based
4155 approach, provided such requirements shall (A) encompass factors
4156 consistent with requirements established by the United States Office of
4157 Management and Budget, and (B) include, but not be limited to,
4158 current and prior audit experience, oversight by state agencies and
4159 pass-through entities and the risk inherent in state programs;

4160 (13) "Public accountant" means an individual who meets the
4161 standards included in generally accepted government auditing
4162 standards for personnel performing government audits and the
4163 licensing requirements of the State Board of Accountancy;

4164 (14) "Subrecipient" means a nonstate entity that receives state
4165 financial assistance from a pass-through entity, but does not include an
4166 individual who receives such assistance;

4167 [(15) "Tourism district" means a district established under section
4168 10-397;]

4169 [(16)] (15) "Nonstate entity" means a municipality, [tourism district,]
4170 audited agency or nonprofit agency;

4171 [(17)] (16) "Pass-through entity" means a nonstate entity that

4172 provides state financial assistance to a subrecipient;

4173 [(18)] (17) "Program-specific audit" means an audit of a single state
4174 program conducted in accordance with the regulations adopted under
4175 section 4-236;

4176 [(19)] (18) "Expended" and "expenditures" have the meanings
4177 attributed to those terms in generally accepted accounting principles,
4178 except that (A) state financial assistance received which does not
4179 specify a required use shall be assumed to be fully expended in the
4180 fiscal year of receipt, and (B) exempt programs shall be assumed to be
4181 expended in the fiscal year that the state financial assistance is
4182 received;

4183 [(20)] (19) "Exempt program" means any state program designated
4184 to be exempt by the secretary after consultation with the Auditors of
4185 Public Accounts and the commissioner of the state agency that
4186 awarded the state financial assistance;

4187 [(21)] (20) "Vendor" means a dealer, distributor, merchant or other
4188 seller providing goods or services that are required for the conduct of a
4189 state program. Such goods or services may be for an organization's
4190 own use or for the use of beneficiaries of the state program; and

4191 [(22)] (21) "Single audit" means an audit, as provided in section 4-
4192 235, that encompasses an entity's financial statements and state
4193 financial assistance.

4194 Sec. 75. Subsection (i) of section 5-259 of the general statutes is
4195 repealed and the following is substituted in lieu thereof (*Effective July*
4196 *1, 2013*):

4197 (i) The Comptroller may provide for coverage of employees of
4198 municipalities, nonprofit corporations, community action agencies and
4199 small employers and individuals eligible for a health coverage tax
4200 credit, retired members or members of an association for personal care

4201 assistants under the plan or plans procured under subsection (a) of this
4202 section, provided: (1) Participation by each municipality, nonprofit
4203 corporation, community action agency, small employer, eligible
4204 individual, retired member or association for personal care assistants
4205 shall be on a voluntary basis; (2) where an employee organization
4206 represents employees of a municipality, nonprofit corporation,
4207 community action agency or small employer, participation in a plan or
4208 plans to be procured under subsection (a) of this section shall be by
4209 mutual agreement of the municipality, nonprofit corporation,
4210 community action agency or small employer and the employee
4211 organization only and neither party may submit the issue of
4212 participation to binding arbitration except by mutual agreement if
4213 such binding arbitration is available; (3) no group of employees shall
4214 be refused entry into the plan by reason of past or future health care
4215 costs or claim experience; (4) rates paid by the state for its employees
4216 under subsection (a) of this section are not adversely affected by this
4217 subsection; (5) administrative costs to the plan or plans provided
4218 under this subsection shall not be paid by the state; (6) participation in
4219 the plan or plans in an amount determined by the state shall be for the
4220 duration of the period of the plan or plans, or for such other period as
4221 mutually agreed by the municipality, nonprofit corporation,
4222 community action agency, small employer, retired member or
4223 association for personal care assistants and the Comptroller; and (7)
4224 nothing in this section or section 12-202a, 38a-551, 38a-553 or 38a-556
4225 shall be construed as requiring a participating insurer or health care
4226 center to issue individual policies to individuals eligible for a health
4227 coverage tax credit. The coverage provided under this section may be
4228 referred to as the "Municipal Employee Health Insurance Plan". The
4229 Comptroller may arrange and procure for the employees and eligible
4230 individuals under this subsection health benefit plans that vary from
4231 the plan or plans procured under subsection (a) of this section.
4232 Notwithstanding any provision of part V of chapter 700c, the coverage
4233 provided under this subsection may be offered on either a fully
4234 underwritten or risk-pooled basis at the discretion of the Comptroller.

4235 For the purposes of this subsection, (A) "municipality" means any
4236 town, city, borough, school district, taxing district, fire district, district
4237 department of health, probate district, housing authority, regional
4238 work force development board established under section 31-3k,
4239 regional emergency telecommunications center, [tourism district
4240 established under section 32-302,] flood commission or authority
4241 established by special act, regional planning agency, transit district
4242 formed under chapter 103a, or the Children's Center established by
4243 number 571 of the public acts of 1969; (B) "nonprofit corporation"
4244 means (i) a nonprofit corporation organized under 26 USC 501 that has
4245 a contract with the state or receives a portion of its funding from a
4246 municipality, the state or the federal government, or (ii) an
4247 organization that is tax exempt pursuant to 26 USC 501(c)(5); (C)
4248 "community action agency" means a community action agency, as
4249 defined in section 17b-885; (D) "small employer" means a small
4250 employer, as defined in subparagraph (A) of subdivision (4) of section
4251 38a-564; (E) "eligible individuals" or "individuals eligible for a health
4252 coverage tax credit" means individuals who are eligible for the credit
4253 for health insurance costs under Section 35 of the Internal Revenue
4254 Code of 1986, or any subsequent corresponding internal revenue code
4255 of the United States, as from time to time amended, in accordance with
4256 the Pension Benefit Guaranty Corporation and Trade Adjustment
4257 Assistance programs of the Trade Act of 2002 (P.L. 107-210); (F)
4258 "association for personal care assistants" means an organization
4259 composed of personal care attendants who are employed by recipients
4260 of service (i) under the home-care program for the elderly under
4261 section 17b-342, (ii) under the personal care assistance program under
4262 section 17b-605a, (iii) in an independent living center pursuant to
4263 sections 17b-613 to 17b-615, inclusive, or (iv) under the program for
4264 individuals with acquired brain injury as described in section 17b-
4265 260a; and (G) "retired members" means individuals eligible for a
4266 retirement benefit from the Connecticut municipal employees'
4267 retirement system.

4268 Sec. 76. Section 7-425 of the general statutes is repealed and the
4269 following is substituted in lieu thereof (*Effective July 1, 2013*):

4270 The following words and phrases as used in this part, except as
4271 otherwise provided, shall have the following meanings:

4272 (1) "Municipality" means any town, city, borough, school district,
4273 regional school district, taxing district, fire district, district department
4274 of health, probate district, housing authority, regional work force
4275 development board established under section 31-3k, regional
4276 emergency telecommunications center, [tourism district established
4277 under section 10-397,] flood commission or authority established by
4278 special act or regional planning agency;

4279 (2) "Participating municipality" means any municipality which has
4280 accepted this part, as provided in section 7-427;

4281 (3) "Legislative body" means, for towns having a town council, the
4282 council; for other towns, the selectmen; for cities, the common council
4283 or other similar body of officials; for boroughs, the warden and
4284 burgesses; for regional school districts, the regional board of
4285 education; for district departments of health, the board of the district;
4286 for probate districts, the judge of probate; for regional planning
4287 agencies, the regional planning board; for regional emergency
4288 telecommunications centers, a representative board; [for tourism
4289 districts, the board of directors of such tourism district;] and in all
4290 other cases the body authorized by the general statutes or by special
4291 act to make ordinances for the municipality;

4292 (4) "Retirement Commission" means the State Retirement
4293 Commission created by chapter 66;

4294 (5) "Member" means any regular employee or elective officer
4295 receiving pay from a participating municipality, and any regular
4296 employee of a free public library that receives part or all of its income
4297 from municipal appropriation, who has been included by such

4298 municipality in the pension plan as provided in section 7-427, but shall
4299 not include any person who customarily works less than twenty hours
4300 a week if such person entered employment after September 30, 1969,
4301 any police officer or firefighter who will attain the compulsory
4302 retirement age after less than five years of continuous service in fund
4303 B, any teacher who is eligible for membership in the state teachers
4304 retirement system, any person eligible for membership in any pension
4305 system established by or under the authority of any special act or of a
4306 charter adopted under the provisions of chapter 99, or any person
4307 holding a position funded in whole or in part by the federal
4308 government as part of any public service employment program, on-
4309 the-job training program or work experience program, provided
4310 persons holding such federally funded positions on July 1, 1978, shall
4311 not be excluded from membership but may elect to receive a refund of
4312 their accumulated contributions without interest;

4313 (6) "Pay" means the salary, wages or earnings of an employee,
4314 including any payments received pursuant to chapter 568 and the
4315 money value as determined by the Retirement Commission of any
4316 board, lodging, fuel or laundry provided for such employee by the
4317 municipality but not including any fees or allowances for expenses;

4318 (7) "Fund" and "fund B" means the Connecticut Municipal
4319 Employees' Retirement Fund B;

4320 (8) "Continuous service" and "service" means active service as a
4321 member, or active service prior to becoming a member if such service
4322 (A) was in a department for which participation was subsequently
4323 accepted and not subsequently withdrawn, (B) was continuous to the
4324 date of becoming a member except service for which credit is granted
4325 pursuant to section 7-436a, and (C) would have been as a member if
4326 the department had then been participating, all subject to the
4327 provisions of section 7-434;

4328 (9) "System" means the Old Age and Survivors Insurance System

4329 under Title II of the Social Security Act, as amended;

4330 (10) "Social Security Act" means the Act of Congress, approved
4331 August 14, 1935, Chapter 531, 49 Stat. 620, officially cited as the Social
4332 Security Act, including regulations and requirements issued pursuant
4333 thereto, as such act has been and may from time to time be amended;

4334 (11) "Regional emergency telecommunications center" means an
4335 entity authorized by the Department of Emergency Services and Public
4336 Protection as the public safety answering point responsible for the
4337 receipt and processing of 9-1-1 calls for at least three municipalities.

4338 Sec. 77. Subsection (b) of section 10-392 of the general statutes is
4339 repealed and the following is substituted in lieu thereof (*Effective July*
4340 *1, 2013*):

4341 (b) The department shall:

4342 (1) Market and promote Connecticut as a destination for leisure and
4343 business travelers through the development and implementation of a
4344 strategic state-wide marketing plan and provision of visitor services to
4345 enhance the economic impact of the tourism industry;

4346 (2) Promote the arts;

4347 (3) Recognize, protect, preserve and promote historic resources;

4348 (4) Interpret and present Connecticut's history and culture;

4349 (5) Promote Connecticut as a location in which to produce digital
4350 media and motion pictures and to establish and conduct business
4351 related to the digital media and motion picture industries to enhance
4352 these industries' economic impact in the state;

4353 [(6) Establish a uniform financial reporting system and forms to be
4354 used by each regional tourism district, established under section 10-
4355 397, in the preparation of the annual budget submitted to the General

4356 Assembly;]

4357 [(7)] (6) Integrate funding and programs whenever possible; and

4358 [(8)] (7) On or before January 1, 2012, and biennially thereafter,
4359 develop and submit to the Governor and the General Assembly, in
4360 accordance with section 11-4a, a strategic plan to implement
4361 subdivisions (1) to (5), inclusive, of this subsection.

4362 Sec. 78. Section 10-393 of the general statutes is repealed and the
4363 following is substituted in lieu thereof (*Effective July 1, 2013*):

4364 (a) There shall be a Culture and Tourism Advisory Committee
4365 which shall consist of twenty-eight voting members and nonvoting ex-
4366 officio members. Such ex-officio members shall be the executive
4367 directors of the Connecticut Trust for Historic Preservation and the
4368 Connecticut Humanities Council, the State Poet Laureate, the State
4369 Historian and the State Archaeologist. The State Poet Laureate, the
4370 State Historian and the State Archaeologist shall serve as members
4371 without being appointed and without receiving compensation for such
4372 service. The remaining twenty-three members shall be appointed as
4373 follows:

4374 (1) The Governor shall appoint seven members: (A) One member
4375 shall be an individual with knowledge of and experience in the
4376 tourism industry from within the state; (B) three members shall be
4377 individuals with knowledge of or experience or interest in history or
4378 humanities; (C) one member shall be an individual with knowledge of
4379 or experience or interest in the arts; and (D) two members shall be
4380 selected at large.

4381 (2) The speaker of the House of Representatives shall appoint three
4382 members: (A) One member shall be an individual with knowledge of
4383 and experience in the tourism industry from [the western regional
4384 tourism district, established under section 10-397] within the state; (B)
4385 one member shall be an individual with knowledge of or experience or

4386 interest in history or humanities; and (C) one member shall be an
4387 individual with knowledge of or experience or interest in the arts.

4388 (3) The president pro tempore of the Senate shall appoint three
4389 members: (A) One member shall be an individual with knowledge of
4390 and experience in the tourism industry from [the central regional
4391 tourism district, established under section 10-397] within the state; (B)
4392 one member shall be an individual with knowledge of or experience or
4393 interest in history or humanities; and (C) one member shall be an
4394 individual with knowledge of or experience or interest in the arts.

4395 (4) The majority leader of the House of Representatives shall
4396 appoint two members: (A) One member shall be an individual with
4397 knowledge of and experience in the tourism industry from [the central
4398 regional tourism district, established under section 10-397] within the
4399 state; and (B) one member shall be an individual with knowledge of or
4400 experience or interest in the arts.

4401 (5) The majority leader of the Senate shall appoint two members: (A)
4402 One member shall be an individual with knowledge of and experience
4403 in the tourism industry from [the eastern regional tourism district]
4404 within the state; and (B) one member shall be an individual with
4405 knowledge of or experience or interest in the arts.

4406 (6) The minority leader of the House of Representatives shall
4407 appoint three members: (A) One member shall be an individual with
4408 knowledge of and experience in the tourism industry from within the
4409 state; (B) one member shall be an individual with knowledge of or
4410 experience or interest in history or humanities; and (C) one member
4411 shall be an individual with knowledge of or experience or interest in
4412 the arts.

4413 (7) The minority leader of the Senate shall appoint three members:
4414 (A) One member shall be an individual with knowledge of and
4415 experience in the tourism industry from [the western regional tourism
4416 district, established under section 10-397] within the state; (B) one

4417 member shall be an individual with knowledge of or experience or
4418 interest in history or humanities; and (C) one member shall be an
4419 individual with knowledge of or experience or interest in the arts.

4420 (b) Each member shall serve a term that is coterminous with such
4421 member's appointing authority.

4422 (c) The voting members shall elect annually: A member from among
4423 the voting members to serve as chairperson of the advisory committee
4424 and one member as vice-chairperson. Members shall receive no
4425 compensation for the performance of their duties, but may be
4426 reimbursed for their necessary expenses incurred in the performance
4427 of their duties. The advisory committee shall meet at least once during
4428 each calendar quarter and at such other times as the chairperson
4429 deems necessary or upon the request of the Commissioner of
4430 Economic and Community Development.

4431 (d) Thirteen voting members of the board shall constitute a quorum
4432 and the affirmative vote of a majority of the voting members present at
4433 a meeting of the advisory committee shall be sufficient for any action
4434 taken by the advisory committee. Any recommendations by the
4435 advisory committee may be authorized by resolution at any regular or
4436 special meeting and shall take effect immediately unless otherwise
4437 provided in the resolution.

4438 (e) The Commissioner of Economic and Community Development
4439 shall provide administrative assistance to the advisory committee. The
4440 commissioner shall have the authority to: Establish rules for the
4441 internal operation of the advisory committee; contract for facilities,
4442 services and programs to implement the purposes of the commission
4443 established by law; and enter into agreements for funding from private
4444 sources, including corporate donations and other commercial
4445 sponsorships. The commissioner is authorized to do all things
4446 necessary to apply for, qualify for and accept any funds made
4447 available under any federal act for the purposes established under

4448 section 10-392. All funds received under this subsection shall be
4449 deposited into the culture and tourism account within the department,
4450 established under section 10-395. The commissioner may enter into
4451 contracts with the federal government concerning the use of such
4452 funds.

4453 Sec. 79. Section 10-396 of the general statutes is repealed and the
4454 following is substituted in lieu thereof (*Effective July 1, 2013*):

4455 With respect to tourism activities, the Department of Economic and
4456 Community Development shall:

4457 (1) Develop, annually update and implement a strategic marketing
4458 plan for the national and international promotion of Connecticut as a
4459 tourism destination;

4460 (2) Develop a Connecticut strategic plan for new tourism products
4461 and attractions;

4462 (3) Provide marketing and other assistance to the tourism industry;

4463 [(4) Ensure cooperation among the regional tourism districts;]

4464 [(5)] (4) Maintain, operate and manage the visitor welcome centers
4465 in the state;

4466 [(6)] (5) Develop and administer a program of challenge grants to
4467 encourage innovation and job development, provide incentives for
4468 coordinated activity consistent with the strategic marketing plan and
4469 stimulate the development of private funds for tourism promotion;
4470 and

4471 [(7)] (6) Subject to available funds, assist municipalities to
4472 accommodate tourist attractions within such municipalities or within
4473 neighboring or adjoining municipalities.

4474 Sec. 80. Subsection (b) of section 10-399 of the general statutes is

4475 repealed and the following is substituted in lieu thereof (*Effective July*
4476 *1, 2013*):

4477 (b) The following measures shall be implemented to enhance the
4478 operation of visitor welcome centers:

4479 (1) Each center shall make available space for listing events and
4480 promoting attractions, by invitation to the Connecticut tourism
4481 industry, including [tourism districts,] chambers of commerce and any
4482 other tourism entities involved in Connecticut tourism promotion;

4483 (2) The Department of Economic and Community Development, in
4484 consultation with the Department of Transportation, shall develop
4485 plans for (A) consistent signage for the visitor welcome centers, and (B)
4486 highway signage regulations for privately operated centers;

4487 (3) The Department of Transportation and the Department of
4488 Economic and Community Development shall establish an "Adopt A
4489 Visitor Welcome Center" program, under which local civic
4490 organizations may provide maintenance, gardening, including
4491 wildflowers, and complimentary refreshments or any other type of
4492 service at a visitor welcome center to enhance the operation of the
4493 center;

4494 (4) The Department of Economic and Community Development
4495 shall place a full-time year-round supervisor and a part-time assistant
4496 supervisor at the Danbury, Darien, North Stonington and West
4497 Willington centers. The responsibilities of each supervisor shall
4498 include, but not be limited to: (A) Maintaining a sufficient inventory of
4499 up-to-date brochures for dissemination to visitors, (B) scheduling staff
4500 so as to assure coverage at all times, (C) training staff, (D) compiling
4501 and maintaining statistics on center usage, (E) serving as liaison
4502 between the department, the Department of Transportation [, the
4503 tourism district in which the center is located and businesses in such
4504 district] and local businesses, (F) maintaining quality tourism services,
4505 (G) rotating displays, (H) evaluating staff, (I) problem-solving, and (J)

4506 computing travel reimbursements for volunteer staff;

4507 (5) Subject to available funds, the Department of Economic and
4508 Community Development shall place a seasonal full-time supervisor
4509 and a seasonal part-time assistant supervisor at the Greenwich and
4510 Westbrook centers. The department shall discontinue staffing at the
4511 Middletown, Plainfield and Wallingford centers, and shall, in
4512 conjunction with the tourism industry, seek contract workers to
4513 provide tourism services at the Westbrook center when not staffed by
4514 the state;

4515 (6) Subject to available funds, the Department of Economic and
4516 Community Development, in conjunction with the tourism industry,
4517 shall develop and implement initial staff training and conduct periodic
4518 training of full-time and part-time supervisors.

4519 Sec. 81. Subsection (b) of section 12-15 of the general statutes is
4520 repealed and the following is substituted in lieu thereof (*Effective July*
4521 *1, 2013*):

4522 (b) The commissioner may disclose (1) returns or return information
4523 to (A) an authorized representative of another state agency or office,
4524 upon written request by the head of such agency or office, when
4525 required in the course of duty or when there is reasonable cause to
4526 believe that any state law is being violated, or (B) an authorized
4527 representative of an agency or office of the United States, upon written
4528 request by the head of such agency or office, when required in the
4529 course of duty or when there is reasonable cause to believe that any
4530 federal law is being violated, provided no such agency or office shall
4531 disclose such returns or return information, other than in a judicial or
4532 administrative proceeding to which such agency or office is a party
4533 pertaining to the enforcement of state or federal law, as the case may
4534 be, in a form which can be associated with, or otherwise identify,
4535 directly or indirectly, a particular taxpayer except that the names and
4536 addresses of jurors or potential jurors and the fact that the names were

4537 derived from the list of taxpayers pursuant to chapter 884 may be
4538 disclosed by the Judicial Branch; (2) returns or return information to
4539 the Auditors of Public Accounts, when required in the course of duty
4540 under chapter 23; (3) returns or return information to tax officers of
4541 another state or of a Canadian province or of a political subdivision of
4542 such other state or province or of the District of Columbia or to any
4543 officer of the United States Treasury Department or the United States
4544 Department of Health and Human Services, authorized for such
4545 purpose in accordance with an agreement between this state and such
4546 other state, province, political subdivision, the District of Columbia or
4547 department, respectively, when required in the administration of taxes
4548 imposed under the laws of such other state, province, political
4549 subdivision, the District of Columbia or the United States, respectively,
4550 and when a reciprocal arrangement exists; (4) returns or return
4551 information in any action, case or proceeding in any court of
4552 competent jurisdiction, when the commissioner or any other state
4553 department or agency is a party, and when such information is directly
4554 involved in such action, case or proceeding; (5) returns or return
4555 information to a taxpayer or its authorized representative, upon
4556 written request for a return filed by or return information on such
4557 taxpayer; (6) returns or return information to a successor, receiver,
4558 trustee, executor, administrator, assignee, guardian or guarantor of a
4559 taxpayer, when such person establishes, to the satisfaction of the
4560 commissioner, that such person has a material interest which will be
4561 affected by information contained in such returns or return
4562 information; (7) information to the assessor or an authorized
4563 representative of the chief executive officer of a Connecticut
4564 municipality, when the information disclosed is limited to (A) a list of
4565 real or personal property that is or may be subject to property taxes in
4566 such municipality, or (B) a list containing the name of each person who
4567 is issued any license, permit or certificate which is required, under the
4568 provisions of this title, to be conspicuously displayed and whose
4569 address is in such municipality; (8) real estate conveyance tax return
4570 information or controlling interest transfer tax return information to

4571 the town clerk or an authorized representative of the chief executive
4572 officer of a Connecticut municipality to which the information relates;
4573 (9) estate tax returns and estate tax return information to the Probate
4574 Court Administrator or to the court of probate for the district within
4575 which a decedent resided at the date of the decedent's death, or within
4576 which the commissioner contends that a decedent resided at the date
4577 of the decedent's death or, if a decedent died a nonresident of this
4578 state, in the court of probate for the district within which real estate or
4579 tangible personal property of the decedent is situated, or within which
4580 the commissioner contends that real estate or tangible personal
4581 property of the decedent is situated; (10) returns or return information
4582 to the (A) Secretary of the Office of Policy and Management for
4583 purposes of subsection (b) of section 12-7a, and (B) Office of Fiscal
4584 Analysis for purposes of, and subject to the provisions of, subdivision
4585 (2) of subsection (f) of section 12-7b; (11) return information to the Jury
4586 Administrator, when the information disclosed is limited to the names,
4587 addresses, federal Social Security numbers and dates of birth, if
4588 available, of residents of this state, as defined in subdivision (1) of
4589 subsection (a) of section 12-701; (12) pursuant to regulations adopted
4590 by the commissioner, returns or return information to any person to
4591 the extent necessary in connection with the processing, storage,
4592 transmission or reproduction of such returns or return information,
4593 and the programming, maintenance, repair, testing or procurement of
4594 equipment, or the providing of other services, for purposes of tax
4595 administration; (13) without written request and unless the
4596 commissioner determines that disclosure would identify a confidential
4597 informant or seriously impair a civil or criminal tax investigation,
4598 returns and return information which may constitute evidence of a
4599 violation of any civil or criminal law of this state or the United States to
4600 the extent necessary to apprise the head of such agency or office
4601 charged with the responsibility of enforcing such law, in which event
4602 the head of such agency or office may disclose such return information
4603 to officers and employees of such agency or office to the extent
4604 necessary to enforce such law; (14) [names and addresses of operators,

4605 as defined in section 12-407, to tourism districts, as defined in section
4606 10-397; (15)] names of each licensed dealer, as defined in section 12-
4607 285, and the location of the premises covered by the dealer's license;
4608 [(16)] (15) to a tobacco product manufacturer that places funds into
4609 escrow pursuant to the provisions of subsection (a) of section 4-28i,
4610 return information of a distributor licensed under the provisions of
4611 chapter 214 or chapter 214a, provided the information disclosed is
4612 limited to information relating to such manufacturer's sales to
4613 consumers within this state, whether directly or through a distributor,
4614 dealer or similar intermediary or intermediaries, of cigarettes, as
4615 defined in section 4-28h, and further provided there is reasonable
4616 cause to believe that such manufacturer is not in compliance with
4617 section 4-28i; [(17)] (16) returns, which shall not include a copy of the
4618 return filed with the commissioner, or return information for purposes
4619 of section 12-217z; and [(18)] (17) returns or return information to the
4620 State Elections Enforcement Commission, upon written request by said
4621 commission, when necessary to investigate suspected violations of
4622 state election laws.

4623 Sec. 82. Subsection (b) of section 25-109q of the general statutes is
4624 repealed and the following is substituted in lieu thereof (*Effective July*
4625 *1, 2013*):

4626 (b) The council shall consist of: A representative of the office of the
4627 Governor; the Commissioner of Energy and Environmental Protection,
4628 or his or her designee; the Commissioner of Economic and Community
4629 Development, or his or her designee; the chairperson of the Culture
4630 and Tourism Advisory Committee, or his or her designee; the
4631 chairperson of the Northeastern Connecticut Council of Governments,
4632 or his or her designee; the chairperson of the Southeastern Connecticut
4633 Council of Governments, or his or her designee; and the chairperson of
4634 the Windham Regional Planning Agency, or his or her designee. The
4635 council shall further consist of the following members appointed by
4636 the Governor: Three chief elected officials from towns listed in Section
4637 104 of said act; two persons from any such town who represent

4638 economic development or business interests; [two persons from any
4639 such town who represent tourism districts within the corridor;] two
4640 persons from any such town who represent land conservation or
4641 outdoor recreation interests; two persons from any such town who
4642 represent historic preservation or cultural history interests; and one
4643 person engaged in agriculture in any such town. Vacancies on the
4644 advisory council shall be filled in the same manner as original
4645 appointments.

4646 Sec. 83. Subsection (d) of section 32-1s of the general statutes is
4647 repealed and the following is substituted in lieu thereof (*Effective July*
4648 *1, 2013*):

4649 (d) Any order or regulation of the Connecticut Commission on
4650 Culture and Tourism, which is in force on July 1, 2011, shall continue
4651 in force and effect as an order or regulation of the Department of
4652 Economic and Community Development until amended, repealed or
4653 superseded pursuant to law. Where any order or regulation of said
4654 commission or said department conflicts, the Commissioner of
4655 Economic and Community Development may implement policies and
4656 procedures consistent with the provisions of this section and sections
4657 3-110f, 3-110h, 3-110i, 4-9a, 4-66aa, 4-89, 4b-53, 4b-60, 4b-64, 4b-66a, 5-
4658 198, 7-147a, 7-147b, 7-147c, 7-147j, 7-147p, 7-147q, 7-147y, 8-37lll, 10-
4659 382, 10-384, 10-385, 10-386, 10-387, 10-388, 10-389, 10-391, 10-392, 10-
4660 393, [10-394,] 10-395, 10-396, [10-397, 10-397a,] 10-399, 10-400, 10-401,
4661 10-402, 10-403, 10-404, 10-405, 10-406, 10-408, 10-409, 10-410, 10-411, 10-
4662 412, 10-413, 10-414, 10-415, 10-416, 10-416a, 10-416b, 10-425, 10a-111a,
4663 10a-112, 10a-112b, 10a-112g, 11-6a, 12-376d, 13a-252, 19a-315b, 19a-
4664 315c, 22a-1d, 22a-19b, 22a-27s, 25-102qq, 25-109q, 29-259, 32-6a, 32-11a
4665 and 32-35 while in the process of adopting the policy or procedure in
4666 regulation form, provided notice of intention to adopt regulations is
4667 printed in the Connecticut Law Journal not later than twenty days after
4668 implementation. The policy or procedure shall be valid until the time
4669 final regulations are effective.

4670 Sec. 84. Section 32-6m of the general statutes is repealed and the
4671 following is substituted in lieu thereof (*Effective July 1, 2013*):

4672 The Commissioner of Economic and Community Development
4673 shall, within available appropriations, establish and administer a
4674 program to promote the marketing of products produced in
4675 Connecticut for the purpose of encouraging the development of
4676 manufacturing and production in the state. The commissioner may,
4677 within available appropriations, provide a grant-in-aid to any person,
4678 firm, partnership or corporation engaged in the promotion and
4679 marketing of such products, provided the words "CONNECTICUT-
4680 MADE" or "CT-Made" are clearly incorporated in such promotional
4681 and marketing activities. The commissioner shall (1) provide for the
4682 design, plan and implementation of a multiyear, state-wide marketing
4683 and advertising campaign, including, but not limited to, television and
4684 radio advertisements, promoting the availability of, and advantages of
4685 purchasing, Connecticut-made products, (2) establish and
4686 continuously update a web site connected with such advertising
4687 campaign that includes, but is not limited to, a comprehensive listing
4688 of Connecticut manufacturers, Connecticut-made products and
4689 Connecticut retailers selling Connecticut-made products, (3) direct
4690 Connecticut manufacturers and producers of Connecticut-made
4691 products in need of assistance to the appropriate economic
4692 development entity or state agency, and (4) conduct efforts to promote
4693 interaction and business relationships between Connecticut
4694 manufacturers and producers of Connecticut-made products and
4695 retailers, marketers, chambers of commerce [, regional tourism
4696 districts] and other potential institutional purchasers of Connecticut-
4697 made products, including, but not limited to, (A) linking Connecticut
4698 manufacturers and producers of Connecticut-made products with
4699 potential purchasers through a separate feature of the web site
4700 established pursuant to this section, and (B) organizing state-wide or
4701 regional events promoting Connecticut manufacturers and producers
4702 of Connecticut-made products, where such manufacturers, producers

4703 and institutional purchasers are invited to participate. The
4704 commissioner shall use his or her best efforts to solicit cooperation and
4705 participation from Connecticut manufacturers, producers of
4706 Connecticut-made products, retailers, marketers [,] and chambers of
4707 commerce [and regional tourism districts] in such advertising,
4708 Internet-related and event planning efforts, including, but not limited
4709 to, soliciting private sector matching funds. The commissioner shall
4710 administer this program within available appropriations. On or before
4711 January 1, 2013, and annually thereafter, the commissioner shall report
4712 to the joint standing committee of the General Assembly having
4713 cognizance of matters relating to commerce on issues with respect to
4714 efforts undertaken pursuant to the requirements of this section,
4715 including, but not limited to, the amount of private matching funds
4716 received and expended by the department. The commissioner may
4717 adopt such regulations, in accordance with chapter 54, as he or she
4718 deems necessary to carry out the purposes of this section.

4719 Sec. 85. (NEW) (*Effective July 1, 2013*) (a) There is established a
4720 Connecticut Arts Council within the Department of Economic and
4721 Community Development to foster and support the arts. The council
4722 shall consist of eleven members as follows: (1) Five appointed by the
4723 Governor for a term of four years, one of whom shall be the head of a
4724 state-wide arts organization; (2) four appointed by the Governor for a
4725 term of three years; and (3) the Commissioner of Economic and
4726 Community Development and an employee of the Department of
4727 Economic and Community Development responsible for arts and
4728 culture, designated by said commissioner, who shall serve as ex-officio
4729 nonvoting members. All initial appointments to the council pursuant
4730 to this subsection shall be made not later than October 1, 2013. No
4731 member shall serve for more than two consecutive full terms. The
4732 Governor shall biennially designate one member of the council to serve
4733 as the chairperson of the council. Any appointed member who fails to
4734 attend three consecutive meetings of the board or who fails to attend
4735 fifty per cent of all meetings of the council held during any calendar

4736 year shall be deemed to have resigned from the council. The Governor
4737 shall fill any vacancy occurring on the committee for the balance of the
4738 unexpired term and may remove any member as provided by section
4739 4-12 of the general statutes.

4740 (b) The chairperson shall call the first meeting of the advisory
4741 committee not later than October 31, 2013. The advisory committee
4742 shall meet not less than quarterly thereafter and at such other times as
4743 the chairperson deems necessary.

4744 (c) Five voting members of the advisory committee shall constitute a
4745 quorum for the transaction of any business or the exercise of any
4746 power of the advisory committee. For the transaction of any business
4747 or the exercise of any power of the advisory committee, and except as
4748 otherwise provided in this section, the advisory committee may act by
4749 a majority of the members present at any meeting at which a quorum
4750 is in attendance.

4751 (d) No member of the Connecticut Arts Council shall receive
4752 compensation for such member's services, except that each member
4753 shall be entitled to reimbursement for actual and necessary expenses
4754 incurred during the performance of such member's official duties.

4755 Sec. 86. (NEW) (*Effective July 1, 2013*) (a) In accordance with
4756 subdivision (4) of section 10-400 of the general statutes, the
4757 Connecticut Arts Council is authorized to establish and manage a
4758 nonprofit foundation, the Connecticut Arts Council Foundation and
4759 shall serve as the board of directors of such foundation.

4760 (b) The Connecticut Arts Council Foundation established pursuant
4761 to subsection (a) of this section may, subject to the direction, regulation
4762 and authorization or ratification by the board of directors:

4763 (1) Receive, solicit, contract for and collect, and hold in separate
4764 custody for purposes herein expressed or implied, endowments,
4765 donations, compensation and reimbursement, in the form of money

4766 paid or promised, services, materials, equipment or any other things
4767 tangible or intangible that may be acceptable to the foundation;

4768 (2) Disburse funds acquired by the foundation from any source, for
4769 (A) purposes of fostering the creation, preservation and expansion of
4770 the arts in the state, (B) the dissemination of information related to
4771 such activities, and (C) other purposes approved by the board and
4772 consistent with sections 10-400 to 10-402, inclusive, of the general
4773 statutes;

4774 (3) Apply for and receive assistance from any source, including
4775 grants of money and services from national and state bodies and
4776 foundations; and

4777 (4) Execute contracts for the purpose of carrying out the provisions
4778 of sections 10-400 to 10-402, inclusive, of the general statutes.

4779 (c) The Connecticut Arts Council Foundation shall comply with the
4780 requirements of section 4-37f of the general statutes. All property and
4781 rights of every character, tangible and intangible, placed in the custody
4782 of the foundation in accordance with said section shall be held by the
4783 foundation in trust for the uses specified herein and in section 10-400
4784 of the general statutes. The entire beneficial ownership thereof shall
4785 vest in the Department of Economic and Community Development
4786 and the board of directors shall exercise complete control thereof.

4787 Sec. 87. Section 10-405 of the general statutes is repealed and the
4788 following is substituted in lieu thereof (*Effective October 1, 2013*):

4789 For purposes of this section and sections 10-406 to 10-408, inclusive:

4790 (1) "Arts organization" means a nonprofit organization in the state
4791 which is exempt from taxation pursuant to Section 501(c)(3) of the
4792 Internal Revenue Code of 1986, as from time to time amended, the
4793 primary purpose of which is to create, perform, present or otherwise
4794 promote the visual, performing or literary arts in the state, but shall

4795 not mean an organization, the primary purpose of which is
4796 instructional, or an organization, the primary purpose of which is to
4797 receive contributions for and provide funding to arts organizations;

4798 (2) "Department" means the Department of Economic and
4799 Community Development;

4800 (3) "Connecticut Arts Council" means the council established
4801 pursuant to section 85 of this act;

4802 (4) "Connecticut Arts Council Foundation" means the nonprofit
4803 foundation established pursuant to section 86 of this act;

4804 [(3)] (5) "Contribution" means cash, negotiable securities or other
4805 gifts of similar liquidity;

4806 [(4)] (6) "Donor" means a private organization, the primary purpose
4807 of which is to receive contributions for and provide funding to arts
4808 organizations, a private foundation or private corporation,
4809 partnership, single proprietorship or association or person making a
4810 contribution to an arts organization;

4811 [(5)] (7) "Fiscal year" means a period of twelve calendar months as
4812 determined by the arts organization's bylaws.

4813 Sec. 88. Section 10-406 of the general statutes is repealed and the
4814 following is substituted in lieu thereof (*Effective October 1, 2013*):

4815 There is created a "Connecticut Arts Endowment Fund". The
4816 proceeds of any bonds issued for the purposes of sections 10-405 to 10-
4817 408, inclusive, shall be deposited in said fund. The State Treasurer shall
4818 invest the proceeds of the fund and the investment earnings shall be
4819 credited to and become part of the fund. Annually, on or before
4820 September first, the Treasurer shall notify the department and the
4821 Connecticut Arts Council of the total amount of investment earnings of
4822 the fund for the prior fiscal year and such amount shall be available to
4823 the department for payments pursuant to sections 10-407 and 10-408.

4824 Any balance remaining in the fund at the end of each fiscal year shall
4825 be carried forward in the fund for the succeeding fiscal year.

4826 Sec. 89. Section 10-408 of the general statutes is repealed and the
4827 following is substituted in lieu thereof (*Effective October 1, 2013*):

4828 Annually, on or before December fifteenth, an arts organization may
4829 apply to the department for a state matching grant, provided the
4830 organization includes in its application a copy of its Internal Revenue
4831 Service return of organization exempt from income tax form, or any
4832 replacement form adopted by the Internal Revenue Service, showing
4833 the total amount of contributions received from donors for the arts
4834 organization's two most recently completed fiscal years. On or before
4835 the January fifteenth next following, the Connecticut Arts Council shall
4836 notify the department who shall certify to the Treasurer an amount
4837 equal to the total matching grants as calculated pursuant to section 10-
4838 407. Thereafter, the Treasurer shall make available such amount to the
4839 department and the department shall, on or before April fifteenth, pay
4840 to each arts organization a grant as calculated pursuant to said section
4841 10-407.

4842 Sec. 90. (NEW) (*Effective July 1, 2013*) (a) There is established a
4843 Commission on Citizen Advocacy. The commission shall consist of
4844 seven members appointed as follows: (1) One member representing
4845 the homosexual, bisexual or transgender population of the state,
4846 appointed by the Joint Committee on Legislative Management; (2) one
4847 member representing the Latino and Puerto Rican population of the
4848 state, appointed by the president pro tempore of the Senate; (3) one
4849 member representing the African-American population of the state,
4850 appointed by the majority leader of the Senate; (4) one member
4851 representing the Asian Pacific American population of the state,
4852 appointed by the minority leader of the Senate; (5) one member
4853 representing the elderly population of the state, appointed by the
4854 speaker of the House of Representatives; (6) one member representing
4855 women of the state, appointed by the majority leader of the House of

4856 Representatives; and (7) one member representing the children of the
4857 state, appointed by the minority leader of the House of
4858 Representatives. All appointed members shall be an advocate or an
4859 academic, civic or cultural leader. Each member of the commission
4860 shall serve for a term of two years from July first in the year of his or
4861 her appointment. The commission shall elect a chairperson and a vice-
4862 chairperson from among its members who shall each serve in such
4863 capacity for a period of two years. Any person absent from (A) three
4864 consecutive meetings of the commission, or (B) fifty per cent of such
4865 meetings during any calendar year shall be deemed to have resigned
4866 from the commission, effective immediately.

4867 (b) Vacancies on the commission shall be filled by the appointing
4868 authority. Members of the commission shall serve without
4869 compensation but shall, within the limits of available funds, be
4870 reimbursed for expenses necessarily incurred in the performance of
4871 their duties. The commission shall meet as often as deemed necessary
4872 by the chairperson or a majority of the commission.

4873 (c) There shall be an executive director of the Commission on
4874 Citizen Advocacy. The executive director and any necessary staff shall
4875 be employed by the Joint Standing Committee on Legislative
4876 Management. The commission shall have no authority over staffing or
4877 personnel matters.

4878 (d) The commission shall be part of the Legislative Department.

4879 (e) The commission shall: (1) Review and comment on any proposed
4880 state legislation or recommendations that may affect citizens
4881 represented by the membership on the commission and provide copies
4882 of any such comments to members of the General Assembly; (2) advise
4883 the Governor and the General Assembly concerning the coordination
4884 and administration of state programs affecting such citizens; and (3)
4885 conduct educational and outreach activities intended to raise
4886 awareness of critical issues for such citizens.

4887 (f) The commission may: (1) Request, and shall receive, from any
4888 state agency such information and assistance as the commission may
4889 require; (2) use such funds as may be available from federal, state or
4890 other sources and may enter into contracts to carry out the purposes of
4891 this section; (3) utilize voluntary and uncompensated services of
4892 individuals, state or federal agencies and organizations as may, from
4893 time to time, be offered and needed; (4) recommend policies to federal
4894 agencies and political subdivisions of the state relative to such
4895 populations of the state; (5) accept any gift, donation or bequest for the
4896 purpose of performing the commission's duties; (6) hold public
4897 hearings; (7) establish task forces, as necessary, to perform the duties
4898 described; (8) adopt regulations, in accordance with chapter 54 of the
4899 general statutes, as it may deem necessary to carry out its duties; and
4900 (9) inform leaders of business, education, state and local governments
4901 and the communications media of the nature and scope of the
4902 problems faced by such populations of the state, with a view to
4903 enlisting such persons' support in working toward solving such
4904 problems.

4905 Sec. 91. Section 2-53m of the general statutes is repealed and the
4906 following is substituted in lieu thereof (*Effective July 1, 2013*):

4907 (a) The [select] joint standing committee of the General Assembly
4908 having cognizance of matters relating to children, in consultation with
4909 the Office of Fiscal Analysis [,] and the Office of Legislative Research,
4910 [and the Commission on Children,] shall maintain an annual report
4911 card that evaluates the progress of state policies and programs in
4912 promoting the result that all Connecticut children grow up in a stable
4913 living environment, safe, healthy and ready to lead successful lives.
4914 Progress shall be measured by primary indicators of progress,
4915 including, but not limited to, indicators established in the final report
4916 of the Legislative Program Review and Investigations Committee
4917 prepared pursuant to the provisions of section 1 of public act 09-166, of
4918 state-wide rates of child abuse, child poverty, low birth weight [,] and
4919 third grade reading proficiency. [, and the annual social health index

4920 developed pursuant to section 46a-131a.] For each indicator, the data
4921 shall also be presented according to ethnicity or race, gender,
4922 geography and, where appropriate, age and other relevant
4923 characteristics. Said committee shall prepare the report card on or
4924 before January 15, 2012, and annually thereafter. On or before January
4925 15, 2012, and annually thereafter, said committee shall make the report
4926 card available to the public on the Internet and on the web site of the
4927 General Assembly and shall transmit the report card electronically to
4928 (1) members of the joint standing committees of the General Assembly
4929 having cognizance of matters relating to appropriations and the
4930 budgets of state agencies and human services, (2) the Commissioners
4931 of Children and Families, Education and Public Health, (3) the Child
4932 Advocate, (4) the Secretary of the Office of Policy and Management,
4933 and (5) the Chief Court Administrator.

4934 (b) On or before January 15, 2012, the [select] joint standing
4935 committee of the General Assembly having cognizance of matters
4936 relating to children, in consultation with a working group of
4937 representatives of state agencies and departments, community
4938 organizations, private provider agencies operating programs that
4939 impact the well-being of children and families, parents and other
4940 caretakers of children, child advocacy organizations, health care
4941 professionals that serve children and families, schools, and child care
4942 providers, shall identify or develop (1) an indicator for measuring
4943 whether children are living with their families and have stability in
4944 their living environments, (2) secondary indicators for measuring
4945 progress within each area of children's well-being related to measuring
4946 progress in their health, safety, stability, education and future success,
4947 including, but not limited to, food security, and (3) key measures of
4948 performance of the state child welfare system, including, but not
4949 limited to, (A) rates of repeat maltreatment among victims of child
4950 abuse and neglect; (B) placement in out-of-home care among children
4951 at risk of abuse and neglect; (C) child fatalities involving child abuse or
4952 neglect; (D) rates of reunification and permanency for children

4953 removed from their homes; and (E) the developmental and health
4954 status and educational progress of children served by the child welfare
4955 system and other appropriate measures of well-being and preparation
4956 for success in life. Not less than annually, said committee shall: (i) With
4957 the assistance of the working group, review the adequacy of primary
4958 and secondary indicators, system-level performance measures, and
4959 related data resources for such indicators and measures, and
4960 determine whether there are more appropriate alternatives to
4961 monitoring progress in achieving the result that all Connecticut
4962 children grow up in a stable living environment, safe, healthy and
4963 ready to lead successful lives, and (ii) in consultation with the results-
4964 based accountability subcommittee of the joint standing committee of
4965 the General Assembly having cognizance of matters relating to
4966 appropriations and the budgets of state agencies, identify programs
4967 within the child welfare system that make a significant contribution to
4968 achieving such result and require the entities administering such
4969 programs to prepare annual report cards employing the results-based
4970 format developed by said subcommittee.

4971 Sec. 92. Subsection (a) of section 4-67x of the general statutes is
4972 repealed and the following is substituted in lieu thereof (*Effective July*
4973 *1, 2013*):

4974 (a) There shall be a Child Poverty and Prevention Council consisting
4975 of the following members or their designees: The Secretary of the
4976 Office of Policy and Management, the president pro tempore of the
4977 Senate, the speaker of the House of Representatives, the minority
4978 leader of the Senate and the minority leader of the House of
4979 Representatives, the Commissioners of Children and Families, Social
4980 Services, Correction, Developmental Services, Mental Health and
4981 Addiction Services, Transportation, Public Health, Education and
4982 Economic and Community Development, the Labor Commissioner,
4983 the Chief Court Administrator, the chairperson of the Board of Regents
4984 for Higher Education, the Child Advocate, the chairperson of the
4985 Children's Trust Fund Council and the executive directors of the

4986 Commission on [Children] Citizen Advocacy and the Commission on
4987 Human Rights and Opportunities. The Secretary of the Office of Policy
4988 and Management, or the secretary's designee, shall be the chairperson
4989 of the council. The council shall (1) develop and promote the
4990 implementation of a ten-year plan, to begin June 8, 2004, to reduce the
4991 number of children living in poverty in the state by fifty per cent, and
4992 (2) within available appropriations, establish prevention goals and
4993 recommendations and measure prevention service outcomes in
4994 accordance with this section in order to promote the health and well-
4995 being of children and families.

4996 Sec. 93. Subsection (h) of section 4-67x of the general statutes is
4997 repealed and the following is substituted in lieu thereof (*Effective July*
4998 *1, 2013*):

4999 (h) Not later than July 1, 2006, the Office of Policy and Management
5000 shall, within available appropriations, develop a protocol requiring
5001 state contracts for programs aimed at reducing poverty for children
5002 and families to include performance-based standards and outcome
5003 measures related to the child poverty reduction goal specified in
5004 subsection (a) of this section. Not later than July 1, 2007, the Office of
5005 Policy and Management shall, within available appropriations, require
5006 such state contracts to include such performance-based standards and
5007 outcome measures. The Secretary of the Office of Policy and
5008 Management [may consult with the Commission on Children to
5009 identify academic, private and other available funding sources and]
5010 may accept and utilize funds from private and public sources to
5011 implement the provisions of this section.

5012 Sec. 94. Subsection (d) of section 7-127c of the general statutes is
5013 repealed and the following is substituted in lieu thereof (*Effective July*
5014 *1, 2013*):

5015 (d) The Department of Education may adopt and disseminate to
5016 municipalities guidelines as to the role and duties of municipal agents

5017 and such informational and technical materials as may assist such
5018 agents in the performance of their duties. The department [, in
5019 collaboration with the Commission on Children,] may provide training
5020 for municipal agents within the available resources of the department,
5021 [and the commission.]

5022 Sec. 95. Subsection (c) of section 10-16n of the general statutes is
5023 repealed and the following is substituted in lieu thereof (*Effective July*
5024 *1, 2013*):

5025 (c) There is established a committee to advise the Commissioner of
5026 Education concerning the coordination, priorities for allocation and
5027 distribution, and utilization of funds for Head Start and concerning the
5028 competitive grant program established under this section, and to
5029 evaluate programs funded pursuant to this section. The committee
5030 shall consist of the following members: (1) One member designated by
5031 the Commissioner of Social Services; (2) six members who are directors
5032 of Head Start programs, two from community action agency program
5033 sites or school readiness liaisons, one of whom shall be appointed by
5034 the president pro tempore of the Senate and one by the speaker of the
5035 House of Representatives, two from public school program sites, one
5036 of whom shall be appointed by the majority leader of the Senate and
5037 one by the majority leader of the House of Representatives, and two
5038 from other nonprofit agency program sites, one of whom shall be
5039 appointed by the minority leader of the Senate and one by the minority
5040 leader of the House of Representatives; (3) one member designated by
5041 the Commission on [Children] Citizen Advocacy; (4) one member
5042 designated by the Early Childhood Education Cabinet; (5) two
5043 members designated by the Head Start Association, one of whom shall
5044 be the parent of a present or former Head Start student; (6) one
5045 member designated by the Connecticut Association for Community
5046 Action who shall have expertise and experience concerning Head Start;
5047 (7) one member designated by the Region I Office of Head Start within
5048 the federal Administration of Children and Families of the Department
5049 of Health and Human Services; and (8) the director of the Head Start

5050 Collaboration Office.

5051 Sec. 96. Subsection (b) of section 10-16v of the general statutes is
5052 repealed and the following is substituted in lieu thereof (*Effective July*
5053 *1, 2013*):

5054 (b) The after school committee shall be appointed by the
5055 Commissioner of Education, in consultation with the Commissioner of
5056 Social Services, [and the executive director of the Commission on
5057 Children] and shall include, but not be limited to, persons having
5058 expertise in after school programs, after school program providers,
5059 local elected officials, members of community agencies, members of
5060 the business community and professional educators.

5061 Sec. 97. Subsection (a) of section 10-16z of the general statutes is
5062 repealed and the following is substituted in lieu thereof (*Effective July*
5063 *1, 2013*):

5064 (a) There is established the Early Childhood Education Cabinet. The
5065 cabinet shall consist of: (1) The Commissioner of Education, or the
5066 commissioner's designee, (2) one representative from the Department
5067 of Education who is responsible for programs required under the
5068 Individuals With Disabilities Education Act, 20 USC 1400 et seq., as
5069 amended from time to time, appointed by the Commissioner of
5070 Education, (3) the Commissioner of Social Services, or the
5071 commissioner's designee, (4) a representative from an institution of
5072 higher education in this state appointed by the president of the Board
5073 of Regents for Higher Education, (5) the Commissioner of Public
5074 Health, or the commissioner's designee, (6) the Commissioner of
5075 Developmental Services, or the commissioner's designee, (7) the
5076 Commissioner of Children and Families, or the commissioner's
5077 designee, (8) the executive director of the Commission on [Children]
5078 Citizen Advocacy, or the executive director's designee, (9) the project
5079 director of the Connecticut Head Start State Collaboration Office, (10) a
5080 parent or guardian of a child who attends or attended a school

5081 readiness program appointed by the minority leader of the House of
5082 Representatives, (11) a representative of a local provider of early
5083 childhood education appointed by the minority leader of the Senate,
5084 (12) a representative of the Connecticut Family Resource Center
5085 Alliance appointed by the majority leader of the House of
5086 Representatives, (13) a representative of a state funded child care
5087 center appointed by the majority leader of the Senate, (14) two
5088 appointed by the speaker of the House of Representatives, one of
5089 whom is a member of the House of Representatives and one of whom
5090 is a parent who has a child attending a school in a priority school
5091 district, (15) two appointed by the president pro tempore of the Senate,
5092 one of whom is a member of the Senate and one of whom is a
5093 representative of a public elementary school with a prekindergarten
5094 program, (16) two appointed by the Governor, one of whom is a
5095 representative of the Connecticut Head Start Association and one of
5096 whom is a representative of the business or philanthropic community
5097 in this state, and (17) the Secretary of the Office of Policy and
5098 Management, or the secretary's designee. The chairperson of the
5099 council shall be appointed from among its members by the Governor.

5100 Sec. 98. Subsection (a) of section 10-76i of the general statutes is
5101 repealed and the following is substituted in lieu thereof (*Effective July*
5102 *1, 2013*):

5103 (a) There shall be an Advisory Council for Special Education which
5104 shall advise the General Assembly, State Board of Education and the
5105 Commissioner of Education, and which shall engage in such other
5106 activities as described in this section. On and after July 1, 2012, the
5107 advisory council shall consist of the following members: (1) Nine
5108 appointed by the Commissioner of Education, (A) six of whom shall be
5109 (i) the parents of children with disabilities, provided such children are
5110 under the age of twenty-seven, or (ii) individuals with disabilities, (B)
5111 one of whom shall be an official of the Department of Education, (C)
5112 one of whom shall be a state or local official responsible for carrying
5113 out activities under Subtitle B of Title VII of the McKinney-Vento

5114 Homeless Assistance Act, 42 USC 11431 et seq., as amended from time
5115 to time, and (D) one of whom shall be a representative of an institution
5116 of higher education in the state that prepares teacher and related
5117 services personnel; (2) one appointed by the Commissioner of
5118 Developmental Services who shall be an official of the department; (3)
5119 one appointed by the Commissioner of Children and Families who
5120 shall be an official of the department; (4) one appointed by the
5121 Commissioner of Correction who shall be an official of the department;
5122 (5) the director of the Office of Protection and Advocacy for Persons
5123 with Disabilities, or the director's designee; (6) [one appointed by the
5124 director of the Parent Leadership Training Institute within the
5125 Commission on Children who shall be (A) the parent of a child with a
5126 disability, provided such child is under the age of twenty-seven, or (B)
5127 an individual with a disability; (7)] a representative from the parent
5128 training and information center for Connecticut established pursuant
5129 to the Individuals With Disabilities Education Act, 20 USC 1400 et seq.,
5130 as amended from time to time; [(8)] (7) the Commissioner of
5131 Rehabilitation Services, or the commissioner's designee; [(9)] (8) five
5132 who are members of the General Assembly who shall serve as
5133 nonvoting members of the advisory council, one appointed by the
5134 speaker of the House of Representatives, one appointed by the
5135 majority leader of the House of Representatives, one appointed by the
5136 minority leader of the House of Representatives, one appointed by the
5137 president pro tempore of the Senate and one appointed by the
5138 minority leader of the Senate; [(10)] (9) one appointed by the president
5139 pro tempore of the Senate who shall be a member of the Connecticut
5140 Speech-Language-Hearing Association; [(11)] (10) one appointed by
5141 the majority leader of the Senate who shall be a public school teacher;
5142 [(12)] (11) one appointed by the minority leader of the Senate who shall
5143 be a representative of a vocational, community or business
5144 organization concerned with the provision of transitional services to
5145 children with disabilities; [(13)] (12) one appointed by the speaker of
5146 the House of Representatives who shall be a member of the
5147 Connecticut Council of Special Education Administrators and who is a

5148 local education official; [(14)] (13) one appointed by the majority leader
5149 of the House of Representatives who shall be a representative of
5150 charter schools; [(15)] (14) one appointed by the minority leader of the
5151 House of Representatives who shall be a member of the Connecticut
5152 Association of Private Special Education Facilities; [(16)] (15) one
5153 appointed by the Chief Court Administrator of the Judicial
5154 Department who shall be an official of such department responsible for
5155 the provision of services to adjudicated children and youth; [(17)] (16)
5156 seven appointed by the Governor, all of whom shall be (A) the parents
5157 of children with disabilities, provided such children are under the age
5158 of twenty-seven, or (B) individuals with disabilities; and [(18)] (17)
5159 such other members as required by the Individuals with Disabilities
5160 Education Act, 20 USC 1400 et seq., as amended from time to time,
5161 appointed by the Commissioner of Education. Appointments made
5162 pursuant to the provisions of this section shall be representative of the
5163 ethnic and racial diversity of, and the types of disabilities found in, the
5164 state population. The terms of the members of the council serving on
5165 June 8, 2010, shall expire on June 30, 2010. Appointments shall be made
5166 to the council by July 1, 2010. Members shall serve two-year terms,
5167 except that members appointed pursuant to subdivisions (1) to (3),
5168 inclusive, of this subsection whose terms commenced July 1, 2010, shall
5169 serve three-year terms and the successors to such members appointed
5170 pursuant to subdivisions (1) to (3), inclusive, of this subsection shall
5171 serve two-year terms.

5172 Sec. 99. Subsection (a) of section 10-222i of the general statutes is
5173 repealed and the following is substituted in lieu thereof (*Effective July*
5174 *1, 2013*):

5175 (a) The Department of Education, in consultation with the State
5176 Education Resource Center [,] and the Governor's Prevention
5177 Partnership, [and the Commission on Children,] shall establish, within
5178 available appropriations, a state-wide safe school climate resource
5179 network for the identification, prevention and education of school
5180 bullying in the state. Such state-wide safe school climate resource

5181 network shall make available to all schools information, training
5182 opportunities and resource materials to improve the school climate to
5183 diminish bullying.

5184 Sec. 100. Subsection (a) of section 17a-219c of the general statutes is
5185 repealed and the following is substituted in lieu thereof (*Effective July*
5186 *1, 2013*):

5187 (a) There is established a Family Support Council to assist the
5188 Department of Developmental Services and other state agencies that
5189 administer or fund family support services to act in concert and,
5190 within available appropriations, to (1) establish a comprehensive,
5191 coordinated system of family support services, (2) use existing state
5192 and other resources efficiently and effectively as appropriate for such
5193 services, (3) identify and address services that are needed for families
5194 of children with disabilities, and (4) promote state-wide availability of
5195 such services. The council shall consist of twenty-seven voting
5196 members including the Commissioners of Public Health,
5197 Developmental Services, Children and Families, Education and Social
5198 Services, or their designees, the Child Advocate or the Child
5199 Advocate's designee, the executive director of the Office of Protection
5200 and Advocacy for Persons with Disabilities or the executive director's
5201 designee, the chairperson of the State Interagency Birth-to-Three
5202 Coordinating Council, established pursuant to section 17a-248b, or the
5203 chairperson's designee, the executive director of the Commission on
5204 [Children] Citizen Advocacy or the executive director's designee, and
5205 family members of, or individuals who advocate for, children with
5206 disabilities. The family members or individuals who advocate for
5207 children with disabilities shall comprise two-thirds of the council and
5208 shall be appointed as follows: Six by the Governor, three by the
5209 president pro tempore of the Senate, two by the majority leader of the
5210 Senate, one by the minority leader of the Senate, three by the speaker
5211 of the House of Representatives, two by the majority leader of the
5212 House of Representatives and one by the minority leader of the House
5213 of Representatives. All appointed members serving on or after October

5214 5, 2009, including members appointed prior to October 5, 2009, shall
5215 serve in accordance with the provisions of section 4-1a. Members
5216 serving on or after October 5, 2009, including members appointed
5217 prior to October 5, 2009, shall serve no more than eight consecutive
5218 years on the council. The council shall meet at least quarterly and shall
5219 select its own chairperson. Council members shall serve without
5220 compensation but shall be reimbursed for necessary expenses
5221 incurred. The costs of administering the council shall be within
5222 available appropriations in accordance with this section and sections
5223 17a-219a and 17a-219b.

5224 Sec. 101. Section 17b-748 of the general statutes is repealed and the
5225 following is substituted in lieu thereof (*Effective July 1, 2013*):

5226 There is established a Child Day Care Council consisting of the
5227 Commissioner of Public Health, the Commissioner of Social Services,
5228 the Commissioner of Children and Families, the Commissioner of
5229 Education and the Commissioner of Economic and Community
5230 Development or a representative of each designated by him in writing
5231 to serve as such representative, and [sixteen] fifteen other persons
5232 appointed by the Governor. Said council shall be within the
5233 Department of Social Services for administrative purposes only. Of the
5234 persons appointed by the Governor, one shall be from among those
5235 recommended by the Connecticut Association for Education of Young
5236 Children; one shall be a member of a community council; one shall be
5237 a member of a community action program; one shall be a member of a
5238 child development or early childhood education department of a
5239 Connecticut college or university; four shall be providers of child day
5240 care services, two of whom shall be family day care providers, and two
5241 shall be child day care center providers; one shall be from among those
5242 recommended by the [Permanent Commission on the Status of
5243 Women; one shall be from among those recommended by the
5244 Connecticut] Commission on [Children] Citizen Advocacy; one shall
5245 be from among those recommended by the American Academy of
5246 Pediatrics; one shall be a member of an advocacy group concerned

5247 with young children and their families; one shall be from among those
5248 recommended by the AFL-CIO Labor Council who is a member of
5249 organized labor; one shall be a member of the Connecticut Business
5250 and Industry Association; and two shall be parents, each of whom
5251 shall have a child enrolled in a child day care service. The members of
5252 the council shall serve without compensation but shall be reimbursed
5253 for necessary expenses incurred in the course of their duties. The
5254 chairperson and the vice-chairperson of the council shall be elected by
5255 the full membership of the council from among the persons appointed
5256 by the Governor and shall serve for a term of one year. The council
5257 shall meet at least ten times per year. Any appointed member who fails
5258 to attend three consecutive meetings or fails to attend fifty per cent of
5259 all meetings held during any calendar year shall be deemed to have
5260 resigned. The council shall recommend to the Commissioner of Public
5261 Health regulations which shall effectuate the purposes of this section
5262 and sections 17b-733, 19a-77, 19a-79, 19a-80, 19a-82 to 19a-87, inclusive,
5263 and 19a-87b to 19a-87e, inclusive, including regulations relating to
5264 licensing, operation, program and professional qualifications of the
5265 staff of child day care centers, group day care homes and family day
5266 care homes and shall make recommendations to the Commissioner of
5267 Public Health on the administration of said sections. The Child Day
5268 Care Council shall also make recommendations to the Department of
5269 Social Services as the lead agency for day care on grants management
5270 and the planning and development of child day care services. In
5271 addition, the council shall provide guidelines for drop-in
5272 supplementary child care operations. Before making such
5273 recommendations, the council shall hold public hearings and invite
5274 suggestions from parents of children utilizing child day care services,
5275 as defined in section 19a-77, and from providers of such services and
5276 other interested parties. The Child Day Care Council shall study issues
5277 affecting child day care and make recommendations to the General
5278 Assembly. The council shall serve as an advisory committee to the
5279 Department of Social Services in the development of the state child
5280 care plan required pursuant to the Child Care Development and

5281 Improvement Act of 1990 and shall conduct biennial public hearings
5282 on such state plan.

5283 Sec. 102. Subsection (a) of section 17b-751c of the general statutes is
5284 repealed and the following is substituted in lieu thereof (*Effective July*
5285 *1, 2013*):

5286 (a) There is established a Nurturing Families Network Advisory
5287 Commission to monitor the state-wide system for the Nurturing
5288 Families Network developed pursuant to section 17b-751b. The
5289 commission shall consist of: (1) One member appointed by the speaker
5290 of the House of Representatives and one member appointed by the
5291 president pro tempore of the Senate, who shall be members of the
5292 General Assembly; (2) one member appointed by the minority leader
5293 of the House of Representatives and one member appointed by the
5294 minority leader of the Senate, who shall be members of the General
5295 Assembly; (3) a representative of the Governor; (4) the Commissioner
5296 of Children and Families, or his designee; (5) the Commissioner of
5297 Social Services, or his designee; (6) the Commissioner of Public Health,
5298 or his designee; (7) the Commissioner of Education, or his designee; (8)
5299 the Secretary of the Office of Policy and Management, or his designee;
5300 (9) the executive director of the Commission on [Children] Citizen
5301 Advocacy, or [his] a designee; (10) a representative of the Child
5302 Advocate's Office, who shall be appointed by the minority leader of
5303 the House of Representatives; and (11) a representative of the
5304 Connecticut Chapter of the National Committee to Prevent Child
5305 Abuse who shall be appointed by the majority leader of the Senate.

5306 Sec. 103. Subsection (b) of section 19a-59c of the general statutes is
5307 repealed and the following is substituted in lieu thereof (*Effective July*
5308 *1, 2013*):

5309 (b) There is established a Women, Infants and Children Advisory
5310 Council consisting of the chairpersons of the joint standing committee
5311 of the General Assembly having cognizance of matters relating to

5312 public health; the Commissioner of Public Health or a designee; the
5313 executive director of the Commission on [Children] Citizen Advocacy
5314 or a designee; a nutrition educator, appointed by the Governor; two
5315 local directors of the Women, Infants and Children program, one each
5316 appointed by the president pro tempore of the Senate and the speaker
5317 of the House of Representatives; two recipients of assistance under the
5318 Women, Infants and Children program, one each appointed by the
5319 majority leaders of the Senate and the House of Representatives; and
5320 two representatives of an anti-hunger organization, one each
5321 appointed by the minority leaders of the Senate and the House of
5322 Representatives. Council members shall serve for a term of two years.
5323 The chairperson and the vice-chairperson of the council shall be
5324 elected by the full membership of the council. Vacancies shall be filled
5325 by the appointing authority. The council shall meet at least twice a
5326 year. Council members shall serve without compensation. The council
5327 shall advise the Department of Public Health on issues pertaining to
5328 increased participation and access to services under the federal Special
5329 Supplemental Food Program for Women, Infants and Children.

5330 Sec. 104. Subsection (c) of section 28-5 of the general statutes is
5331 repealed and the following is substituted in lieu thereof (*Effective July*
5332 *1, 2013*):

5333 (c) The Commissioner of Emergency Services and Public Protection
5334 shall, within available appropriations and in consultation with the
5335 Commissioners of Social Services, Public Health, Children and
5336 Families, Mental Health and Addiction Services and Education, and
5337 the Commission on [Children] Citizen Advocacy, update and amend
5338 the state civil preparedness plan and program established pursuant to
5339 subsection (b) of this section to address the needs of children during
5340 natural disasters, man-made disasters and terrorism. The plan may
5341 also be amended in consultation with parents, local emergency
5342 services and child care providers. The amended plan shall include, but
5343 not be limited to, a requirement that all schools and licensed and
5344 regulated child day care services, as defined in section 19a-77, have

5345 written multihazard disaster response plans that address (1) the
5346 evacuation and removal of children to a safe location, (2) notification of
5347 parents in the event of a disaster or terrorism, (3) reunification of
5348 parents with their children, and (4) care for children with special needs
5349 during a disaster or terrorism.

5350 Sec. 105. Subsection (c) of section 46b-69c of the general statutes is
5351 repealed and the following is substituted in lieu thereof (*Effective July*
5352 *1, 2013*):

5353 (c) The advisory committee shall consist of not more than ten
5354 members to be appointed by the Chief Justice of the Supreme Court
5355 and shall include members who represent the Commission on
5356 [Children] Citizen Advocacy, the family law section of the Connecticut
5357 Bar Association, educators specializing in children studies, agencies
5358 representing victims of family violence, service providers and the
5359 Judicial Department. The members shall serve for terms of two years
5360 and may be reappointed for succeeding terms. The members shall elect
5361 a chairperson from among their number and shall receive no
5362 compensation for their services.

5363 Sec. 106. Subsection (d) of section 17b-297 of the general statutes is
5364 repealed and the following is substituted in lieu thereof (*Effective July*
5365 *1, 2013*):

5366 (d) The commissioner, in consultation with [the Latino and Puerto
5367 Rican Affairs Commission, the African-American Affairs] Commission
5368 on Citizen Advocacy, representatives from minority community-based
5369 organizations and any other state and local organizations deemed
5370 appropriate by the commissioner, shall develop and implement
5371 outreach efforts that target medically underserved children and adults,
5372 particularly Latino and other minority children and adults, to increase
5373 enrollment of such children and adults in the HUSKY Plan, Part A or
5374 Part B. Such efforts shall include, but not be limited to, developing
5375 culturally appropriate outreach materials, advertising through Latino

5376 media outlets and other minority media outlets, and the public
5377 education, outreach and recruitment activities described in subsections
5378 (a) to (c), inclusive, of this section.

5379 Sec. 107. Subsection (a) of section 19a-6g of the general statutes is
5380 repealed and the following is substituted in lieu thereof (*Effective July*
5381 *1, 2013*):

5382 (a) There is established a HealthFirst Connecticut Authority
5383 composed of the following members: Two appointed by the speaker of
5384 the House of Representatives, one of whom is a health care provider
5385 and one of whom represents businesses with fifty or more employees;
5386 two appointed by the president pro tempore of the Senate, one of
5387 whom has experience in community-based health care and one of
5388 whom represents businesses with fewer than fifty employees; one
5389 appointed by the majority leader of the House of Representatives who
5390 represents consumers; one appointed by the majority leader of the
5391 Senate who represents the interests of labor; one appointed by the
5392 minority leader of the House of Representatives who represents health
5393 insurance companies; one appointed by the minority leader of the
5394 Senate who represents hospitals; and two appointed by the Governor,
5395 one of whom advocates for health care quality or patient safety and
5396 one with experience in information technology. The Insurance
5397 Commissioner and the Commissioners of Public Health and Social
5398 Services or their designees, the Healthcare Advocate or the Healthcare
5399 Advocate's designee, the executive director of the [Permanent
5400 Commission on the Status of Women or the executive director's
5401 designee, the executive director of the African-American Affairs
5402 Commission or the executive director's designee, the executive director
5403 of the Latino and Puerto Rican Affairs] Commission on Citizen
5404 Advocacy or the executive director's designee and the Comptroller or
5405 Comptroller's designee shall be ex-officio, nonvoting members.

5406 Sec. 108. Subsection (b) of section 19a-6j of the general statutes is
5407 repealed and the following is substituted in lieu thereof (*Effective July*

5408 1, 2013):

5409 (b) The advisory panel shall consist of the following members:

5410 (1) One appointed by the Governor, as recommended by the
5411 Connecticut Advanced Practice Registered Nurse Society, who shall be
5412 a nonphysician medical clinician with significant experience in treating
5413 persons with lupus;

5414 (2) Five appointed by the Commissioner of Public Health; one of
5415 whom shall be a person with lupus recommended by the state chapter
5416 of the Lupus Foundation of America; one of whom shall be a scientist
5417 from a university based in the state who has experience in lupus and
5418 who participates in various fields of scientific endeavor, including, but
5419 not limited to, biomedical, social, translational, behavioral or
5420 epidemiological research recommended by the Medical and Scientific
5421 Advisory Council of the state chapter of the Lupus Foundation of
5422 America; one of whom shall be a physician with significant experience
5423 in treating persons with lupus recommended by the Connecticut
5424 Medical Society; one of whom shall be a representative from the state
5425 chapter of the Lupus Foundation of America; and one of whom shall
5426 be a state resident representing the Lupus Research Institute;

5427 (3) One appointed by the speaker of the House of Representatives;

5428 (4) One appointed by the president pro tempore of the Senate;

5429 (5) One appointed by the minority leader of the House of
5430 Representatives;

5431 (6) One appointed by the minority leader of the Senate; and

5432 (7) One appointed by the executive director of the [Permanent
5433 Commission on the Status of Women] Commission on Citizen
5434 Advocacy. [;

5435 (8) One appointed by the executive director of the African-American

5436 Affairs Commission; and

5437 (9) One appointed by the executive director of the Latino and Puerto
5438 Rican Affairs Commission.]

5439 Sec. 109. Subsection (a) of section 38a-1051 of the general statutes is
5440 repealed and the following is substituted in lieu thereof (*Effective July*
5441 *1, 2013*):

5442 (a) Whereas the General Assembly finds that: (1) Equal enjoyment of
5443 the highest attainable standard of health is a human right and a
5444 priority of the state, (2) research and experience demonstrate that
5445 inhabitants of the state experience barriers to the equal enjoyment of
5446 good health based on race, ethnicity, gender, national origin and
5447 linguistic ability, and (3) addressing such barriers, and others that may
5448 arise in the future, requires: The collection, analysis and reporting of
5449 information, the identification of causes, and the development and
5450 implementation of policy solutions that address health disparities
5451 while improving the health of the public as a whole therefore, there is
5452 established a Commission on Health Equity with the mission of
5453 eliminating disparities in health status based on race, ethnicity, gender
5454 and linguistic ability, and improving the quality of health for all of the
5455 state's residents. Such commission shall consist of the following
5456 commissioners, or their designees, and public members: (A) The
5457 Commissioners of Public Health, Mental Health and Addiction
5458 Services, Developmental Services, Social Services, Correction, Children
5459 and Families, and Education; (B) the dean of The University of
5460 Connecticut Health Center, or his designee; (C) the director of The
5461 University of Connecticut Health Center and Center for Public Health
5462 and Health Policy, or their designees; (D) the dean of the Yale
5463 University Medical School, or his designee; (E) the dean of Public
5464 Health and the School of Epidemiology at Yale University, or his
5465 designee; (F) one member appointed by the president pro tempore of
5466 the Senate, who shall be a member of an affiliate of the National Urban
5467 League; (G) one member appointed by the speaker of the House of

5468 Representatives, who shall be a member of the National Association
5469 for the Advancement of Colored People; (H) one member appointed
5470 by the majority leader of the House of Representatives, who shall be a
5471 member of the Black and Puerto Rican Caucus of the General
5472 Assembly; (I) one member appointed by the majority leader of the
5473 Senate with the advice of the Native American Heritage Advisory
5474 Council or the chairperson of the Indian Affairs Council, who shall be
5475 a representative of the Native American community; (J) one member
5476 appointed by the minority leader of the Senate, who shall be a
5477 representative of an advocacy group for Hispanics; (K) one member
5478 appointed by the minority leader of the House of Representatives, who
5479 shall be a representative of the state-wide Multicultural Health
5480 Network; (L) the chairperson of the [African-American Affairs]
5481 Commission on Citizen Advocacy, or his or her designee; (M) [the
5482 chairperson of the Latino and Puerto Rican Affairs Commission, or his
5483 or her designee; (N) the chairperson of the Permanent Commission on
5484 the Status of Women, or his or her designee; (O) the chairperson of the
5485 Asian Pacific American Affairs Commission, or his or her designee;
5486 (P)] the director of the Hispanic Health Council, or his or her designee;
5487 [(Q)] (N) the chairperson of the Office of the Healthcare Advocate, or
5488 his or her designee; and [(R)] (O) eight members of the public,
5489 representing communities facing disparities in health status based on
5490 race, ethnicity, gender and linguistic ability, who shall be appointed as
5491 follows: Two by the president pro tempore of the Senate, two by the
5492 speaker of the House of Representatives, two by the minority leader of
5493 the Senate, and two by the minority leader of the House of
5494 Representatives. Vacancies on the council shall be filled by the
5495 appointing authority.

5496 Sec. 110. Subsections (b) and (c) of section 46a-170 of the general
5497 statutes are repealed and the following is substituted in lieu thereof
5498 (*Effective July 1, 2013*):

5499 (b) The council shall consist of the following members: The Attorney
5500 General, the Chief State's Attorney, the Chief Public Defender, the

5501 Commissioner of Emergency Services and Public Protection, the Labor
5502 Commissioner, the Commissioner of Social Services, the Commissioner
5503 of Public Health, the Commissioner of Mental Health and Addiction
5504 Services, the Commissioner of Children and Families, the Child
5505 Advocate, the Victim Advocate, the [chairperson of the Commission
5506 on Children, the chairperson of the Permanent Commission on the
5507 Status of Women, the chairperson of the Latino and Puerto Rican
5508 Affairs Commission, the chairperson of the African-American Affairs
5509 Commission] chairperson of the Commission on Citizen Advocacy,
5510 three representatives of the Judicial Branch appointed by the Chief
5511 Court Administrator, one of whom shall represent the Office of Victim
5512 Services and one of whom shall represent the Court Support Services
5513 Division, and a municipal police chief appointed by the Connecticut
5514 Police Chiefs Association, or a representative of any such member who
5515 has been designated in writing by such member to serve as such
5516 member's representative, and seven public members appointed as
5517 follows: The Governor shall appoint one member who shall represent
5518 Connecticut Sexual Assault Crisis Services, Inc., the president pro
5519 tempore of the Senate shall appoint one member who shall represent
5520 an organization that provides civil legal services to low-income
5521 individuals, the speaker of the House of Representatives shall appoint
5522 one member who shall represent the Connecticut Coalition Against
5523 Domestic Violence, the majority leader of the Senate shall appoint one
5524 member who shall represent an organization that deals with
5525 behavioral health needs of women and children, the majority leader of
5526 the House of Representatives shall appoint one member who shall
5527 represent an organization that advocates on social justice and human
5528 rights issues, the minority leader of the Senate shall appoint one
5529 member who shall represent the Connecticut Immigrant and Refugee
5530 Coalition, and the minority leader of the House of Representatives
5531 shall appoint one member who shall represent the Asian-American
5532 community.

5533 (c) The chairperson of the [Permanent Commission on the Status of

5534 Women] Commission on Citizen Advocacy shall serve as chairperson
5535 of the council. The members of the council shall serve without
5536 compensation but shall be reimbursed for necessary expenses incurred
5537 in the performance of their duties.

5538 Sec. 111. Subsection (a) of section 51-10c of the general statutes is
5539 repealed and the following is substituted in lieu thereof (*Effective July*
5540 *1, 2013*):

5541 (a) There is established a Commission on Racial and Ethnic
5542 Disparity in the Criminal Justice System. The commission shall consist
5543 of the Chief Court Administrator, the Chief State's Attorney, the Chief
5544 Public Defender, the Commissioner of Emergency Services and Public
5545 Protection, the Commissioner of Correction, the Commissioner of
5546 Children and Families, the Child Advocate, the Victim Advocate, the
5547 chairperson of the Board of Pardons and Paroles, the chairperson of
5548 the [African-American Affairs] Commission on Citizen Advocacy, or a
5549 designee, [the chairperson of the Latino and Puerto Rican Affairs
5550 Commission, or their designees,] a representative of municipal police
5551 chiefs, a representative of a coalition representing police and
5552 correctional officers, six members appointed one each by the president
5553 pro tempore of the Senate, the speaker of the House of
5554 Representatives, the majority leader of the Senate, the majority leader
5555 of the House of Representatives, the minority leader of the Senate and
5556 the minority leader of the House of Representatives, and two members
5557 appointed by the Governor. The Chief Court Administrator or said
5558 administrator's designee shall serve as chairperson of the commission.
5559 The commission shall meet at such times as it deems necessary.

5560 Sec. 112. Subsection (b) of section 54-1s of the general statutes is
5561 repealed and the following is substituted in lieu thereof (*Effective July*
5562 *1, 2013*):

5563 (b) The board shall include the following members:

5564 (1) The Chief State's Attorney, or a designee;

- 5565 (2) The Chief Public Defender, or a designee;
- 5566 (3) The president of the Connecticut Police Chiefs Association, or a
5567 designee;
- 5568 (4) The executive director of the [African-American Affairs]
5569 Commission on Citizen Advocacy, or a designee;
- 5570 [(5) The executive director of the Latino and Puerto Rican Affairs
5571 Commission, or a designee;
- 5572 (6) The executive director of the Asian Pacific American Affairs
5573 Commission, or a designee;]
- 5574 [(7)] (5) The executive director of the Commission on Human Rights
5575 and Opportunities, or a designee;
- 5576 [(8)] (6) The Commissioner of Emergency Services and Public
5577 Protection, or a designee;
- 5578 [(9)] (7) The Commissioner of Transportation, or a designee;
- 5579 [(10)] (8) The director of the Institute for Municipal and Regional
5580 Policy at Central Connecticut State University, or a designee; and
- 5581 [(11)] (9) Such other members as the board may prescribe.

5582 Sec. 113. Subsection (c) of section 3-123aa of the general statutes is
5583 repealed and the following is substituted in lieu thereof (*Effective July*
5584 *1, 2013*):

5585 (c) There is established an advisory committee to the Connecticut
5586 Homecare Option Program for the Elderly, which shall consist of the
5587 State Treasurer, the Comptroller, the Commissioner of Social Services,
5588 a representative of the Commission on [Aging] Citizen Advocacy, the
5589 director of the long-term care partnership policy program within the
5590 Office of Policy and Management, and the cochairpersons and ranking
5591 members of the joint standing committees of the General Assembly

5592 having cognizance of matters relating to human services, [and] finance,
5593 revenue and bonding and [the cochairpersons and ranking members of
5594 the select committee having cognizance of matters relating to] aging,
5595 or their designees. The Governor shall appoint one provider of home
5596 care services for the elderly and a physician specializing in geriatric
5597 care. The advisory committee shall meet at least annually. The State
5598 Comptroller shall convene the meetings of the committee.

5599 Sec. 114. Subsection (a) of section 16a-41b of the general statutes is
5600 repealed and the following is substituted in lieu thereof (*Effective July*
5601 *1, 2013*):

5602 (a) There shall be a Low-Income Energy Advisory Board which shall
5603 consist of the following members or their designees: The executive
5604 director of the Commission on [Aging] Citizen Advocacy; a
5605 representative of each electric and gas public service company
5606 designated by each such company; the chairperson of the Public
5607 Utilities Regulatory Authority; the Consumer Counsel; the executive
5608 director of Operation Fuel; the executive director of Infoline; the
5609 director of the Connecticut Local Administrators of Social Services; the
5610 executive director of Legal Assistance Resource Center of Connecticut;
5611 the Connecticut president of AARP; a designee of the Norwich Public
5612 Utility; a designee of the Independent Connecticut Petroleum
5613 Association; and a representative of the community action agencies
5614 administering energy assistance programs under contract with the
5615 Department of Social Services, designated by the Connecticut
5616 Association for Community Action. The Secretary of the Office of
5617 Policy and Management and the Commissioners of Social Services and
5618 Energy and Environmental Protection, or their designees, shall serve as
5619 nonvoting members of the board.

5620 Sec. 115. Section 17a-450a of the general statutes is repealed and the
5621 following is substituted in lieu thereof (*Effective July 1, 2013*):

5622 (a) The Department of Mental Health and Addiction Services shall

5623 constitute a successor department to the Department of Mental Health.
5624 [Whenever the words "Commissioner of Mental Health" are used or
5625 referred to in the following general statutes, the words "Commissioner
5626 of Mental Health and Addiction Services" shall be substituted in lieu
5627 thereof and whenever the words "Department of Mental Health" are
5628 used or referred to in the following general statutes, the words
5629 "Department of Mental Health and Addiction Services" shall be
5630 substituted in lieu thereof: 4-5, 4-38c, 4-60i, 4-77a, 4a-12, 4a-16, 5-142, 8-
5631 206d, 10-19, 10-71, 10-76d, 17a-14, 17a-26, 17a-31, 17a-33, 17a-218, 17a-
5632 246, 17a-450, 17a-451, 17a-452, 17a-453, 17a-454, 17a-455, 17a-456, 17a-
5633 457, 17a-458, 17a-459, 17a-460, 17a-464, 17a-465, 17a-466, 17a-467, 17a-
5634 468, 17a-470, 17a-471, 17a-472, 17a-473, 17a-474, 17a-476, 17a-478, 17a-
5635 479, 17a-480, 17a-481, 17a-482, 17a-483, 17a-484, 17a-498, 17a-499, 17a-
5636 502, 17a-506, 17a-510, 17a-511, 17a-512, 17a-513, 17a-519, 17a-528, 17a-
5637 560, 17a-561, 17a-562, 17a-565, 17a-576, 17a-581, 17a-582, 17a-675, 17b-
5638 28, 17b-222, 17b-223, 17b-225, 17b-359, 17b-420, 17b-694, 19a-82, 19a-
5639 495, 19a-498, 19a-507a, 19a-507c, 19a-576, 19a-583, 20-14i, 20-14j, 21a-
5640 240, 21a-301, 27-122a, 31-222, 38a-514, 46a-28, 51-51o, 52-146h and 54-
5641 56d.]

5642 (b) The Department of Mental Health and Addiction Services shall
5643 constitute a successor department to the addiction services component
5644 of the Department of Public Health and Addiction Services. [Whenever
5645 the words "Commissioner of Public Health and Addiction Services" are
5646 used or referred to in the following general statutes, the words
5647 "Commissioner of Mental Health and Addiction Services" shall be
5648 substituted in lieu thereof and whenever the words "Department of
5649 Public Health and Addiction Services" are used or referred to in the
5650 following general statutes, the words "Department of Mental Health
5651 and Addiction Services" shall be substituted in lieu thereof: 4a-12, 17a-
5652 670 to 17a-676, inclusive, 17a-678 to 17a-682, inclusive, 17a-684 to 17a-
5653 687, inclusive, 17a-691, 17a-694, 17a-710, 17a-712, 17a-713, 19a-89c, 20-
5654 74o, 20-74p, 20-74q, 21a-274a, 54-36i and 54-56g.]

5655 (c) Any order or regulation of the Department of Mental Health or

5656 the addiction services component of the Department of Public Health
5657 and Addiction Services that is in force on July 1, 1995, shall continue in
5658 force and effect as an order or regulation of the Department of Mental
5659 Health and Addiction Services until amended, repealed or superseded
5660 pursuant to law. Where any order or regulation of the departments
5661 conflict, the Commissioner of Mental Health and Addiction Services
5662 may implement policies and procedures consistent with the provisions
5663 of public act 95-257 while in the process of adopting the policy or
5664 procedure in regulation form, provided notice of intention to adopt the
5665 regulations is printed in the Connecticut Law Journal within twenty
5666 days of implementation. The policy or procedure shall be valid until
5667 the time final regulations are effective.

5668 Sec. 116. Subsection (f) of section 17a-317 of the general statutes is
5669 repealed and the following is substituted in lieu thereof (*Effective July*
5670 *1, 2013*):

5671 (f) Any order or regulation of the Department of Social Services [or
5672 the Commission on Aging] that is in force on January 1, 2013, shall
5673 continue in force and effect as an order or regulation until amended,
5674 repealed or superseded pursuant to law.

5675 Sec. 117. Subsections (b) and (c) of section 17b-28 of the general
5676 statutes are repealed and the following is substituted in lieu thereof
5677 (*Effective July 1, 2013*):

5678 (b) On or before June 30, 2011, the council shall be composed of the
5679 chairpersons and ranking members of the joint standing committees of
5680 the General Assembly having cognizance of matters relating to human
5681 services, public health and appropriations and the budgets of state
5682 agencies, or their designees; two members of the General Assembly,
5683 one to be appointed by the president pro tempore of the Senate and
5684 one to be appointed by the speaker of the House of Representatives;
5685 [the director of the Commission on Aging, or a designee;] the executive
5686 director of the Commission on [Children] Citizen Advocacy, or a

5687 designee; a representative of each organization that has been selected
5688 by the state to provide managed care and a representative of a primary
5689 care case management provider, to be appointed by the president pro
5690 tempore of the Senate; two representatives of the insurance industry,
5691 to be appointed by the speaker of the House of Representatives; two
5692 advocates for persons receiving Medicaid, one to be appointed by the
5693 majority leader of the Senate and one to be appointed by the minority
5694 leader of the Senate; one advocate for persons with substance use
5695 disorders, to be appointed by the majority leader of the House of
5696 Representatives; one advocate for persons with psychiatric disabilities,
5697 to be appointed by the minority leader of the House of
5698 Representatives; two advocates for the Department of Children and
5699 Families foster families, one to be appointed by the president pro
5700 tempore of the Senate and one to be appointed by the speaker of the
5701 House of Representatives; two members of the public who are
5702 currently recipients of Medicaid, one to be appointed by the majority
5703 leader of the House of Representatives and one to be appointed by the
5704 minority leader of the House of Representatives; two representatives
5705 of the Department of Social Services, to be appointed by the
5706 Commissioner of Social Services; two representatives of the
5707 Department of Public Health, to be appointed by the Commissioner of
5708 Public Health; two representatives of the Department of Mental Health
5709 and Addiction Services, to be appointed by the Commissioner of
5710 Mental Health and Addiction Services; two representatives of the
5711 Department of Children and Families, to be appointed by the
5712 Commissioner of Children and Families; two representatives of the
5713 Office of Policy and Management, to be appointed by the Secretary of
5714 the Office of Policy and Management; and one representative of the
5715 office of the State Comptroller, to be appointed by the State
5716 Comptroller.

5717 (c) On and after July 1, 2011, the council shall be composed of the
5718 following members:

5719 (1) The chairpersons and ranking members of the joint standing

5720 committees of the General Assembly having cognizance of matters
5721 relating to human services, public health and appropriations and the
5722 budgets of state agencies, or their designees;

5723 (2) Four appointed by the speaker of the House of Representatives,
5724 one of whom shall be a member of the General Assembly, one of
5725 whom shall be a community provider of adult Medicaid health
5726 services, one of whom shall be a recipient of Medicaid benefits for the
5727 aged, blind and disabled or an advocate for such a recipient and one of
5728 whom shall be a representative of the state's federally qualified health
5729 clinics;

5730 (3) Four appointed by the president pro tempore of the Senate, one
5731 of whom shall be a member of the General Assembly, one of whom
5732 shall be a representative of the home health care industry, one of
5733 whom shall be a primary care medical home provider and one of
5734 whom shall be an advocate for Department of Children and Families
5735 foster families;

5736 (4) Two appointed by the majority leader of the House of
5737 Representatives, one of whom shall be an advocate for persons with
5738 substance abuse disabilities and one of whom shall be a Medicaid
5739 dental provider;

5740 (5) Two appointed by the majority leader of the Senate, one of
5741 whom shall be a representative of school-based health centers and one
5742 of whom shall be a recipient of benefits under the HUSKY program;

5743 (6) Two appointed by the minority leader of the House of
5744 Representatives, one of whom shall be an advocate for persons with
5745 disabilities and one of whom shall be a dually eligible Medicaid-
5746 Medicare beneficiary or an advocate for such a beneficiary;

5747 (7) Two appointed by the minority leader of the Senate, one of
5748 whom shall be a low-income adult recipient of Medicaid benefits or an
5749 advocate for such a recipient and one of whom shall be a

5750 representative of hospitals;

5751 (8) The executive director of the Commission on [Aging] Citizen
5752 Advocacy, or the executive director's designee;

5753 [(9) The executive director of the Commission on Children, or the
5754 executive director's designee;]

5755 [(10)] (9) A representative of the Long-Term Care Advisory Council;

5756 [(11)] (10) The Commissioners of Social Services, Children and
5757 Families, Public Health, Developmental Services and Mental Health
5758 and Addiction Services, or their designees, who shall be ex-officio
5759 nonvoting members;

5760 [(12)] (11) The Comptroller, or the Comptroller's designee, who shall
5761 be an ex-officio nonvoting member;

5762 [(13)] (12) The Secretary of the Office of Policy and Management, or
5763 the secretary's designee, who shall be an ex-officio nonvoting member;
5764 and

5765 [(14)] (13) One representative of an administrative services
5766 organization which contracts with the Department of Social Services in
5767 the administration of the Medicaid program, who shall be a nonvoting
5768 member.

5769 Sec. 118. Section 17b-338 of the general statutes is repealed and the
5770 following is substituted in lieu thereof (*Effective July 1, 2013*):

5771 (a) There is established a Long-Term Care Advisory Council which
5772 shall consist of the following: (1) The executive director of the
5773 Commission on [Aging] Citizen Advocacy, or the executive director's
5774 designee; (2) the State Nursing Home Ombudsman, or the
5775 ombudsman's designee; (3) the president of the Coalition of Presidents
5776 of Resident Councils, or the president's designee; (4) the executive
5777 director of the Legal Assistance Resource Center of Connecticut, or the

5778 executive director's designee; (5) the state president of AARP, or the
5779 president's designee; (6) one representative of a bargaining unit for
5780 health care employees, appointed by the president of the bargaining
5781 unit; (7) the president of LeadingAge Connecticut, Inc., or the
5782 president's designee; (8) the president of the Connecticut Association
5783 of Health Care Facilities, or the president's designee; (9) the president
5784 of the Connecticut Association of Residential Care Homes, or the
5785 president's designee; (10) the president of the Connecticut Hospital
5786 Association or the president's designee; (11) the executive director of
5787 the Connecticut Assisted Living Association or the executive director's
5788 designee; (12) the executive director of the Connecticut Association for
5789 Homecare or the executive director's designee; (13) the president of
5790 Connecticut Community Care, Inc. or the president's designee; (14) one
5791 member of the Connecticut Association of Area Agencies on Aging
5792 appointed by the agency; (15) the president of the Connecticut chapter
5793 of the Connecticut Alzheimer's Association; (16) one member of the
5794 Connecticut Association of Adult Day Centers appointed by the
5795 association; (17) the president of the Connecticut Chapter of the
5796 American College of Health Care Administrators, or the president's
5797 designee; (18) the president of the Connecticut Council for Persons
5798 with Disabilities, or the president's designee; (19) the president of the
5799 Connecticut Association of Community Action Agencies, or the
5800 president's designee; (20) a personal care attendant appointed by the
5801 speaker of the House of Representatives; (21) the president of the
5802 Family Support Council, or the president's designee; (22) a person
5803 who, in a home setting, cares for a person with a disability and is
5804 appointed by the president pro tempore of the Senate; (23) three
5805 persons with a disability appointed one each by the majority leader of
5806 the House of Representatives, the majority leader of the Senate and the
5807 minority leader of the House of Representatives; (24) a legislator who
5808 is a member of the Long-Term Care Planning Committee; and (25) one
5809 member who is a nonunion home health aide appointed by the
5810 minority leader of the Senate.

5811 (b) The council shall advise and make recommendations to the
5812 Long-Term Care Planning Committee established under section 17b-
5813 337.

5814 (c) The Long-Term Care Advisory Council shall seek
5815 recommendations from persons with disabilities or persons receiving
5816 long-term care services who reflect the socio-economic diversity of the
5817 state.

5818 Sec. 119. Section 17b-367 of the general statutes is repealed and the
5819 following is substituted in lieu thereof (*Effective July 1, 2013*):

5820 The Office of Policy and Management, within existing budgetary
5821 resources and in consultation with the [Select Committee on Aging, the
5822 Commission on Aging] joint standing committee of the General
5823 Assembly having cognizance of matters relating to aging, personnel
5824 designated by the Commissioner of Social Services who administer the
5825 CHOICES health insurance assistance program and the Long-Term
5826 Care Advisory Council, shall develop a single consumer-oriented
5827 Internet web site that provides comprehensive information on long-
5828 term care options that are available in Connecticut. The web site shall
5829 also include direct links and referral information regarding long-term
5830 care resources, including private and nonprofit organizations offering
5831 advice, counseling and legal services.

5832 Sec. 120. Section 4-124bb of the general statutes is repealed and the
5833 following is substituted in lieu thereof (*Effective July 1, 2013*):

5834 (a) The Labor Department [, in consultation with the Permanent
5835 Commission on the Status of Women,] shall, within available
5836 appropriations, establish a Connecticut Career Ladder Advisory
5837 Committee which shall promote the creation of new career ladder
5838 programs and the enhancement of existing career ladder programs for
5839 occupations in this state with a projected workforce shortage, as
5840 forecasted pursuant to section 4-124w.

5841 (b) The Connecticut Career Ladder Advisory Committee shall be
5842 comprised of the following thirteen members: (1) The Commissioners
5843 of Education and Public Health and the president of the Board of
5844 Regents for Higher Education, or their designees; (2) the Labor
5845 Commissioner, or a designee; and (3) the following public members,
5846 all of whom shall be selected by the Labor Commissioner, with
5847 recommendation of the staff of the Office of Workforce
5848 Competitiveness, [in conjunction with the Permanent Commission on
5849 the Status of Women,] and knowledgeable about issues relative to
5850 career ladder programs or projected workforce shortage areas: (A) One
5851 member with expertise in the development of the early childhood
5852 education workforce; (B) one member with expertise in job training for
5853 women; (C) one member with expertise in the development of the
5854 health care workforce; (D) one member with expertise in labor market
5855 analysis; (E) one member representing health care employers; (F) one
5856 member representing early childhood education employers; and (G)
5857 three members with expertise in workforce development programs.

5858 (c) All appointments to the advisory committee shall be made no
5859 later than October 1, 2003. Any vacancy shall be filled by the
5860 appointing authority. Members shall serve two-year terms and no
5861 public member shall serve for more than two consecutive terms.

5862 (d) The advisory committee shall elect two cochairpersons from
5863 among its members. The advisory committee shall meet at least
5864 bimonthly. Members of the advisory committee shall serve without
5865 compensation, except for necessary expenses incurred in the
5866 performance of their duties.

5867 (e) For purposes of this section, "career ladder" means any
5868 continuum of education and training that leads to a credential,
5869 certificate, license or degree and results in career advancement or the
5870 potential to earn higher wages in an occupation with a projected
5871 workforce shortage, as forecasted pursuant to section 4-124w.

5872 Sec. 121. Subsection (b) of section 10-145a of the general statutes is
5873 repealed and the following is substituted in lieu thereof (*Effective July*
5874 *1, 2013*):

5875 (b) Any candidate in a program of teacher preparation leading to
5876 professional certification shall be encouraged to successfully complete
5877 an intergroup relations component of such a program which shall be
5878 developed with the participation of both sexes, and persons of various
5879 ethnic, cultural and economic backgrounds. Such intergroup relations
5880 program shall have the following objectives: (1) The imparting of an
5881 appreciation of the contributions to American civilization of the
5882 various ethnic, cultural and economic groups composing American
5883 society and an understanding of the life styles of such groups; (2) the
5884 counteracting of biases, discrimination and prejudices; and (3) the
5885 assurance of respect for human diversity and personal rights. The State
5886 Board of Education, the Board of Regents for Higher Education [.] and
5887 the Commission on Human Rights and Opportunities [and the
5888 Permanent Commission on the Status of Women] shall establish a joint
5889 committee composed of members of the [four] three agencies, which
5890 shall develop and implement such programs in intergroup relations.

5891 Sec. 122. Subsection (a) of section 19a-112a of the general statutes is
5892 repealed and the following is substituted in lieu thereof (*Effective July*
5893 *1, 2013*):

5894 (a) There is created a Commission on the Standardization of the
5895 Collection of Evidence in Sexual Assault Investigations composed of
5896 fourteen members as follows: The Chief State's Attorney or a designee;
5897 the executive director of the [Permanent Commission on the Status of
5898 Women] Commission on Citizen Advocacy or a designee; the
5899 Commissioner of Children and Families or a designee; one member
5900 from the Division of State Police and one member from the Division of
5901 Scientific Services appointed by the Commissioner of Emergency
5902 Services and Public Protection; one member from Connecticut Sexual
5903 Assault Crisis Services, Inc. appointed by its board of directors; one

5904 member from the Connecticut Hospital Association appointed by the
5905 president of the association; one emergency physician appointed by
5906 the president of the Connecticut College of Emergency Physicians; one
5907 obstetrician-gynecologist and one pediatrician appointed by the
5908 president of the Connecticut State Medical Society; one nurse
5909 appointed by the president of the Connecticut Nurses' Association; one
5910 emergency nurse appointed by the president of the Emergency Nurses'
5911 Association of Connecticut; one police chief appointed by the president
5912 of the Connecticut Police Chiefs Association; and one member of the
5913 Office of Victim Services within the Judicial Department. The Chief
5914 State's Attorney or a designee shall be chairman of the commission.
5915 The commission shall be within the Division of Criminal Justice for
5916 administrative purposes only.

5917 Sec. 123. Subsection (d) of section 31-3g of the general statutes is
5918 repealed and the following is substituted in lieu thereof (*Effective July*
5919 *1, 2013*):

5920 (d) The Labor Commissioner shall establish an Advisory Council on
5921 Displaced Homemakers and appoint not less than ten nor more than
5922 fifteen members, including representatives from the Labor
5923 Department, the Departments of Education, Higher Education and
5924 Social Services, the [Permanent Commission on the Status of Women]
5925 Commission on Citizen Advocacy and providers of assistance and
5926 program access services, and such other members as the commissioner
5927 deems necessary. The advisory council shall consult with and advise
5928 the Labor Commissioner and the state-wide coordinator of services for
5929 displaced homemakers as to criteria which shall be used to identify
5930 displaced homemakers and determine programs and services
5931 appropriate to the skills development of the applying displaced
5932 homemaker. The advisory council shall develop specific
5933 recommendations for funding multiservice programs which meet the
5934 training and job placement needs of displaced homemakers.

5935 Sec. 124. Section 31-3cc of the general statutes is repealed and the

5936 following is substituted in lieu thereof (*Effective July 1, 2013*):

5937 The Connecticut Employment and Training Commission, in
5938 cooperation with the [Permanent Commission on the Status of Women
5939 and the] Commission on Human Rights and Opportunities, shall
5940 regularly collect and analyze data on state-supported training
5941 programs that measure the presence of gender or other systematic bias
5942 and work with the relevant boards and agencies to correct any
5943 problems that are found.

5944 Sec. 125. Section 46b-215a of the general statutes is repealed and the
5945 following is substituted in lieu thereof (*Effective July 1, 2013*):

5946 (a) The Commission for Child Support Guidelines is established to
5947 issue child support and arrearage guidelines to ensure the
5948 appropriateness of criteria for the establishment of child support
5949 awards and to review and issue updated guidelines every four years.
5950 Such guidelines shall ensure, subject to section 46b-215c, that current
5951 support, health care coverage, child care contribution and orders of
5952 payment on any arrearage and past due support shall be based on the
5953 income of both parents and the obligor's ability to pay. Such guidelines
5954 shall also ensure the appropriateness of periodic payment orders on
5955 arrearages when the obligor (1) is the child's legal guardian and resides
5956 with the child, or (2) is not the child's legal guardian but has resided
5957 with the child either for at least six months immediately preceding the
5958 order of payment on the arrearage or for at least six months of the
5959 twelve months immediately preceding such order. In such cases, the
5960 commission shall consider exemptions similar to those in the uniform
5961 contribution scale adopted pursuant to section 4a-12. Updated
5962 arrearage guidelines shall be issued at the same time as the child
5963 support guidelines.

5964 (b) The commission shall consist of eleven members as follows:

5965 (1) The Chief Court Administrator, or the Chief Court
5966 Administrator's designee;

5967 (2) The Commissioner of Social Services, or the commissioner's
5968 designee;

5969 (3) The Attorney General, or the Attorney General's designee;

5970 (4) The chairpersons and ranking members of the joint standing
5971 committee on judiciary, or their designees;

5972 (5) A representative of the Connecticut Bar Association, designated
5973 by the Connecticut Bar Association; and

5974 (6) Three members appointed by the Governor, one of whom
5975 represents an agency that delivers legal services to the poor [,] and one
5976 of whom represents the financial concerns of child support obligors
5977 and one of whom represents the [Permanent Commission on the Status
5978 of Women] Commission on Citizen Advocacy.

5979 (c) The Commissioner of Social Services shall convene the
5980 commission whenever a review is required to issue updated guidelines
5981 pursuant to subsection (a) of this section.

5982 (d) The chairperson of the commission shall be elected by the
5983 members of the commission. A vacancy on the commission at any time
5984 shall not invalidate any actions taken by the commission during such
5985 vacancy, provided at least nine members of the commission are
5986 serving at the time of such action.

5987 Sec. 126. Subsection (g) of section 2c-2h of the general statutes is
5988 repealed and the following is substituted in lieu thereof (*Effective July*
5989 *1, 2013*):

5990 (g) Not later than July 1, 2020, and not later than every ten years
5991 thereafter, the joint standing committee of the General Assembly
5992 having cognizance of any of the following governmental entities or
5993 programs shall conduct a review of the applicable entity or program in
5994 accordance with the provisions of section 2c-3:

5995 (1) Office of Long Term Care Ombudsman, established under
5996 section 17a-400;

5997 (2) Regulation of nursing home administrators pursuant to chapter
5998 368v;

5999 (3) Regulation of hearing aid dealers pursuant to chapter 398;

6000 (4) Plumbing and Piping Work Board, established under section 20-
6001 331; and

6002 [(5) Commission on Children established under section 46a-126;
6003 and]

6004 [[6)] (5) Connecticut Public Transportation Commission, established
6005 under section 13b-11a.

6006 Sec. 127. Section 17a-2 of the general statutes is repealed and the
6007 following is substituted in lieu thereof (*Effective July 1, 2013*):

6008 (a) There shall be a Department of Children and Families which
6009 shall be a single budgeted agency consisting of the institutions,
6010 facilities and programs existing within the department, any programs
6011 and facilities transferred to the department, and such other
6012 institutions, facilities and programs as may hereafter be established by
6013 or transferred to the department by the General Assembly.

6014 (b) Said department shall constitute a successor department to the
6015 Department of Children and Youth Services, for the purposes of
6016 sections 4-5, 4-38c, 4-60i, 4-77a, 4-165b, 4a-11b, 4a-12, 4a-16, 5-259, 7-
6017 127c, as amended by this act, 8-206d, 10-8a, 10-15d, 10-76d, 10-76h, 10-
6018 76i, as amended by this act, 10-76w, 10-76g, 10-94g, 10-253, 17-86a, 17-
6019 294, 17-409, 17-437, 17-572, 17-578, 17-579, 17-585, 17a-1 to 17a-89,
6020 inclusive, 17a-90 to 17a-209, inclusive, 17a-218, 17a-277, 17a-450, 17a-
6021 458, 17a-474, 17a-560, 17a-511, 17a-634, 17a-646, 17a-659, 18-69, 18-69a,
6022 18-87, 19a-78, 19a-216, 20-14i, 20-14j, 31-23, 31-306a, 38a-514, 45a-591 to
6023 45a-705, inclusive, 45a-706 to 45a-770, inclusive, 46a-28, [46a-126,] 46b-

15 to 46b-19, inclusive, 46b-120 to 46b-159, inclusive, 54-56d, 54-142k, 54-199, 54-203 and in accordance with the provisions of sections 4-38d and 4-39.

[(c) Whenever the words "Commissioner of Children and Youth Services", "Department of Children and Youth Services", or "Council on Children and Youth Services" are used in sections 4-5, 4-38c, 4-60i, 4-77a, 4-165b, 4a-11b, 4a-12, 4a-16, 5-259, 7-127c, 8-206d, 10-8a, 10-15d, 10-76d, 10-76h, 10-76i, 10-76w, 10-94g, 10-253, 17-86a, 17-294, 17-409, 17-437, 17-572, 17-578, 17-579, 17-585, 17a-1 to 17a-89, inclusive, 17a-90 to 17a-209, inclusive, 17a-218, 17a-277, 17a-450, 17a-458, 17a-474, 17a-511, 17a-634, 17a-646, 17a-659, 18-69, 18-69a, 18-87, 19a-78, 19a-216, 20-14i, 20-14j, 31-23, 31-306a, 38a-514, 45a-591 to 45a-705, inclusive, 45a-706 to 45a-770, inclusive, 46a-28, 46a-126, 46b-15 to 46b-19, inclusive, 46b-120 to 46b-159, inclusive, 54-56d, 54-142k, 54-199, 54-203, the words "Commissioner of Children and Families", "Department of Children and Families", and "Council on Children and Families" shall be substituted respectively in lieu thereof.]

Sec. 128. Section 46a-68 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) [Each] The executive director of the Commission on Human Rights and Opportunities shall develop, for each state agency, department, board and commission with twenty-five, or more, full-time employees, [shall develop and implement, in cooperation with the Commission on Human Rights and Opportunities,] an affirmative action plan that commits the agency, department, board or commission to a program of affirmative action in all aspects of personnel and administration, [Such plan] except that each constituent unit of higher education, as defined in section 10a-1, shall develop such an affirmative action plan, in cooperation with the executive director of the Commission on Human Rights and Opportunities, and shall file such plan with said executive director. Each affirmative action plan required by this subsection shall be developed pursuant to regulations

6056 adopted by the Commission on Human Rights and Opportunities in
6057 accordance with chapter 54 to ensure that affirmative action is
6058 undertaken as required by state and federal law to provide equal
6059 employment opportunities and to comply with all responsibilities
6060 under the provisions of [sections 4-61u to 4-61w, inclusive,] sections
6061 46a-54 to 46a-64, inclusive, section 46a-64c and sections 46a-70 to 46a-
6062 78, inclusive. Each such agency, department, board and commission
6063 shall implement, in cooperation with the Commission on Human
6064 Rights and Opportunities, the affirmative action plan developed for
6065 the agency, department, board or commission. The executive head of
6066 each such agency, department, board or commission shall be directly
6067 responsible for [the development, filing and] such implementation. [of
6068 such affirmative action plan.] The Metropolitan District of Hartford
6069 County shall be deemed to be a state agency for purposes of this
6070 section.

6071 (b) (1) Each state agency, department, board or commission shall
6072 designate a full-time or part-time equal employment opportunity
6073 officer. If such equal employment opportunity officer is an employee
6074 of the agency, department, board or commission, the executive head of
6075 the agency, department, board or commission shall be directly
6076 responsible for the supervision of the officer.

6077 (2) The Commission on Human Rights and Opportunities shall
6078 provide training and technical assistance to equal employment
6079 opportunity officers in plan [development and] implementation.

6080 (3) The Commission on Human Rights and Opportunities [and the
6081 Permanent Commission on the Status of Women] shall provide
6082 training concerning state and federal discrimination laws and
6083 techniques for conducting investigations of discrimination complaints
6084 to persons designated by state agencies, departments, boards or
6085 commissions as equal employment opportunity officers and persons
6086 designated by the Attorney General or the Attorney General's designee
6087 to represent such agencies, departments, boards or commissions

6088 pursuant to subdivision (5) of this subsection. On or after October 1,
6089 2011, such training shall be provided for a minimum of five hours
6090 during the first year of service or designation, and a minimum of three
6091 hours every two years thereafter.

6092 (4) (A) Each person designated by a state agency, department, board
6093 or commission as an equal employment opportunity officer shall (i) be
6094 responsible for mitigating any discriminatory conduct within the
6095 agency, department, board or commission, (ii) investigate all
6096 complaints of discrimination made against the state agency,
6097 department, board or commission, except if any such complaint has
6098 been filed with the Commission on Human Rights and Opportunities
6099 or the Equal Employment Opportunity Commission, the state agency,
6100 department, board or commission may rely upon the process of the
6101 applicable commission, as applicable, in lieu of such investigation, and
6102 (iii) report all findings and recommendations upon the conclusion of
6103 an investigation to the commissioner or director of the state agency,
6104 department, board or commission for proper action.

6105 (B) Notwithstanding the provisions of subparagraphs (A)(i), (A)(ii)
6106 and (A)(iii) of this subdivision, if a discrimination complaint is made
6107 against the executive head of a state agency or department, any
6108 member of a state board or commission or any equal employment
6109 opportunity officer alleging that the executive head, member or officer
6110 directly or personally engaged in discriminatory conduct, or if a
6111 complaint of discrimination is made by the executive head of a state
6112 agency, any member of a state board or commission or any equal
6113 employment opportunity officer, the complaint shall be referred to the
6114 Commission on Human Rights and Opportunities for review and, if
6115 appropriate, investigation by the [Department of Administrative
6116 Services] Office of Policy and Management, except if any such
6117 complaint has been filed with the Equal Employment Opportunity
6118 Commission or the Commission on Human Rights and Opportunities,
6119 the Commission on Human Rights and Opportunities or [Department
6120 of Administrative Services] Office of Policy and Management may rely

6121 upon the process of the applicable commission in lieu of such
6122 investigation. If the discrimination complaint is made by or against the
6123 executive head, any member or the equal employment opportunity
6124 officer of the Commission on Human Rights and Opportunities
6125 alleging that the executive head, member or officer directly or
6126 personally engaged in discriminatory conduct, the commission shall
6127 refer the complaint to the [Department of Administrative Services]
6128 Office of Policy and Management for review and, if appropriate,
6129 investigation. If the complaint is by or against the executive head or
6130 equal employment opportunity officer of the [Department of
6131 Administrative Services] Office of Policy and Management, the
6132 complaint shall be referred to the Commission on Human Rights and
6133 Opportunities for review and, if appropriate, investigation. Each
6134 person who conducts an investigation pursuant to this subparagraph
6135 shall report all findings and recommendations upon the conclusion of
6136 such investigation to the appointing authority of the individual who
6137 was the subject of the complaint for proper action. The provisions of
6138 this subparagraph shall apply to any such complaint pending on or
6139 after July 5, 2007.

6140 (5) Each person designated by a state agency, department, board or
6141 commission as an equal employment opportunity officer, and each
6142 person designated by the Attorney General or the Attorney General's
6143 designee to represent an agency pursuant to subdivision (6) of this
6144 subsection, shall complete training provided by the Commission on
6145 Human Rights and Opportunities [and the Permanent Commission on
6146 the Status of Women] pursuant to subdivision (3) of this subsection.

6147 (6) No person designated by a state agency, department, board or
6148 commission as an equal employment opportunity officer shall
6149 represent such agency, department, board or commission before the
6150 Commission on Human Rights and Opportunities or the Equal
6151 Employment Opportunity Commission concerning a discrimination
6152 complaint. If a discrimination complaint is filed with the Commission
6153 on Human Rights and Opportunities or the Equal Employment

6154 Opportunity Commission against a state agency, department, board or
6155 commission, the Attorney General, or the Attorney General's designee,
6156 other than the equal employment opportunity officer for such agency,
6157 department, board or commission, shall represent the state agency,
6158 department, board or commission before the Commission on Human
6159 Rights and Opportunities or the Equal Employment Opportunity
6160 Commission. In the case of a discrimination complaint filed against the
6161 Metropolitan District of Hartford County, the Attorney General, or the
6162 Attorney General's designee, shall not represent such district before
6163 the Commission on Human Rights and Opportunities or the Equal
6164 Employment Opportunity Commission.

6165 (c) ~~[Each]~~ For each state agency, department, board and commission
6166 that employs two hundred fifty or more full-time employees, the
6167 executive director shall file an affirmative action plan developed in
6168 accordance with subsection (a) of this section ~~[,]~~ with the Commission
6169 on Human Rights and Opportunities ~~[,]~~ semiannually, except that for
6170 any state agency, department, board or commission which has an
6171 affirmative action plan approved by the commission, the executive
6172 director may ~~[be permitted to]~~ file ~~[its]~~ the affirmative action plan on
6173 an annual basis in a manner prescribed by the commission and for any
6174 state agency, department, board or commission that employs twenty-
6175 five or more employees but fewer than two hundred fifty full-time
6176 employees, the executive director shall file ~~[its]~~ the affirmative action
6177 plan biennially, unless the commission disapproves the most recent
6178 submission of the plan, in which case the commission may require the
6179 resubmission of such plan by a time chosen by the commission, until
6180 the plan is approved. All affirmative action plans shall be filed
6181 electronically, if practicable.

6182 (d) The Commission on Human Rights and Opportunities shall
6183 review and formally approve, conditionally approve or disapprove the
6184 content of such affirmative action plans within ninety days of the
6185 submission of each plan to the commission. If the commissioners, by a
6186 majority vote of those present and voting, fail to approve,

6187 conditionally approve or disapprove a plan within such period, the
6188 plan shall be deemed to be approved. Any plan that is filed more than
6189 ninety days after the date such plan is due to be filed in accordance
6190 with the schedule established pursuant to subsection (g) of this section
6191 shall be deemed disapproved.

6192 (e) The [Commissioner of Administrative Services and the]
6193 Secretary of the Office of Policy and Management shall cooperate with
6194 the Commission on Human Rights and Opportunities to insure that
6195 the State Personnel Act and personnel regulations are administered,
6196 and that the process of collective bargaining is conducted by all parties
6197 in a manner consistent with the affirmative action responsibilities of
6198 the state.

6199 (f) The Commission on Human Rights and Opportunities shall
6200 monitor the activity of such plans within each state agency,
6201 department, board and commission and report to the Governor and
6202 the General Assembly on or before April first of each year concerning
6203 the results of such plans.

6204 (g) The Commission on Human Rights and Opportunities shall
6205 adopt regulations, in accordance with chapter 54, to carry out the
6206 requirements of this section. The executive director shall establish a
6207 schedule for semiannual, annual and biennial filing of plans.

6208 Sec. 129. Section 17a-211b of the general statutes is repealed and the
6209 following is substituted in lieu thereof (*Effective July 1, 2013*):

6210 Notwithstanding any provision of the general statutes or
6211 regulations adopted thereunder to the contrary, the [Department of
6212 Developmental Services] executive director of the Commission on
6213 Human Rights and Opportunities shall develop for the Department of
6214 Developmental Services a single, comprehensive affirmative action
6215 plan which covers each region, school and office of said department.

6216 Sec. 130. Section 17a-450b of the general statutes is repealed and the

6217 following is substituted in lieu thereof (*Effective July 1, 2013*):

6218 Notwithstanding any provision of title 46 or regulations adopted
6219 under said title, the [Department of Mental Health and Addiction
6220 Services] executive director of the Commission on Human Rights and
6221 Opportunities shall develop for the Department of Mental Health and
6222 Addiction Services a single, comprehensive affirmative action plan that
6223 covers each facility, division and the central office of said department.

6224 Sec. 131. (NEW) (*Effective July 1, 2013*) (a) Within the Office of
6225 Governmental Accountability there shall be a legal and enforcement
6226 division and a business operations division.

6227 (b) (1) The legal and enforcement division shall investigate all
6228 complaints, except as provided for in subsection (b) of section 1-206 of
6229 the general statutes, as amended by this act, and provide advisory
6230 opinions and staff assistance to the Citizen's Ethics Advisory Board
6231 established under subsection (a) of section 1-80 of the general statutes,
6232 the Freedom of Information Commission established under section 1-
6233 205 of the general statutes, the Board of Firearms Permit Examiners
6234 established under subsection (a) of section 29-32b of the general
6235 statutes, the Judicial Review Council established under section 51-51k
6236 of the general statutes, and the State Elections Enforcement
6237 Commission established under section 9-7a of the general statutes.

6238 (2) The legal and enforcement division shall perform staff functions
6239 in conjunction with hearings in accordance with sections 1-81, 1-82 and
6240 1-83 of the general statutes, as amended by this act, section 1-88 of the
6241 general statutes, section 1-93 of the general statutes, as amended by
6242 this act, section 1-206 of the general statutes, as amended by this act,
6243 and sections 4e-7, 4e-35, 4e-36, 9-7b, 29-32b and 51-51l of the general
6244 statutes.

6245 (3) Notwithstanding any provision of the general statutes, each full-
6246 time employee or permanent part-time employee of the boards,
6247 commissions or council set forth in subdivision (1) of this subsection,

6248 including, but not limited to, those who are staff attorneys or hearing
6249 officers, and those whose primary duties (A) are to investigate
6250 complaints, conduct hearings in contested cases and issue final
6251 decisions or proposed final decisions, or (B) relate to providing
6252 administrative services required for conducting such hearings and
6253 issuing such decisions, shall be transferred to the legal and
6254 enforcement division within the Office of Governmental
6255 Accountability.

6256 (4) The executive administrator of the Office of Governmental
6257 Accountability shall develop and implement, in conjunction with the
6258 head of the legal and enforcement division, a program for the
6259 continuing education of attorneys and other staff in issues of
6260 procedural due process and in the substantive law issues under the
6261 jurisdiction of the boards, commissions and council that are subject to
6262 the provisions of subsection (a) of this section.

6263 (5) Except as provided for in subdivision (3) of this subsection, the
6264 executive administrator shall make hiring decisions concerning the
6265 staff of the legal and enforcement division.

6266 (6) The executive administrator of the Office of Governmental
6267 Accountability shall dismiss any employee of the legal and
6268 enforcement division who, in violation of part I of chapter 10 or section
6269 1-101nn of the general statutes, discloses information filed in
6270 accordance with subparagraph (F) of subdivision (1) of subsection (b)
6271 of section 1-83 of the general statutes.

6272 (c) The business operations division shall perform the human
6273 resources, administrative, information technology and business
6274 functions for the offices, commissions, councils and boards within the
6275 Office of Governmental Accountability.

6276 Sec. 132. Subsection (b) of section 1-300 of the general statutes is
6277 repealed and the following is substituted in lieu thereof (*Effective July*
6278 *1, 2013*):

6279 (b) The Office of Governmental Accountability shall provide
6280 personnel, payroll, affirmative action and administrative and business
6281 office functions and information technology associated with such
6282 functions for the following: The Office of State Ethics established under
6283 section 1-80, State Elections Enforcement Commission established
6284 under section 9-7a, Freedom of Information Commission established
6285 under section 1-205, Judicial Review Council established under section
6286 51-51k, Judicial Selection Commission established under section 51-
6287 44a, Board of Firearms Permit Examiners established under section 29-
6288 32b, Office of the Child Advocate established under section 46a-13k,
6289 Office of the Victim Advocate established under section 46a-13b, the
6290 Council on Environmental Quality established under section 22a-11, as
6291 amended by this act, and State Contracting Standards Board
6292 established under section 4e-2. The personnel, payroll, affirmative
6293 action and administrative and business office functions of said offices,
6294 commissions, [council] councils and boards shall be merged and
6295 consolidated within the Office of Governmental Accountability
6296 pursuant to the plan developed and implemented under the provisions
6297 of section 1-302.

6298 Sec. 133. Section 1-301 of the general statutes is repealed and the
6299 following is substituted in lieu thereof (*Effective July 1, 2013*):

6300 (a) (1) There shall be a Governmental Accountability Commission,
6301 within the Office of Governmental Accountability established under
6302 section 1-300, as amended by this act, that shall consist of [nine] ten
6303 members as follows: (A) The chairperson of the Citizen's Ethics
6304 Advisory Board established under section 1-80, or the chairperson's
6305 designee; (B) the chairperson of the State Elections Enforcement
6306 Commission established under section 9-7a, or the chairperson's
6307 designee; (C) the chairperson of the Freedom of Information
6308 Commission established under section 1-205, or the chairperson's
6309 designee; (D) the executive director of the Judicial Review Council
6310 established under section 51-51k, or the executive director's designee;
6311 (E) the chairperson of the Judicial Selection Commission established

6312 under section 51-44a, or the chairperson's designee; (F) the chairperson
6313 of the Board of Firearms Permit Examiners established under section
6314 29-32b, or the chairperson's designee; (G) the Child Advocate
6315 appointed under section 46a-13k, or the advocate's designee; (H) the
6316 Victim Advocate appointed under section 46a-13b, or the advocate's
6317 designee; [and] (I) the chairperson of the State Contracting Standards
6318 Board established under section 4e-2, or the chairperson's designee;
6319 and (J) the chairperson of the Council on Environmental Quality
6320 established under section 22a-11. The Governmental Accountability
6321 Commission shall select a chairperson who shall preside at meetings of
6322 the commission. Said commission shall meet for the purpose of
6323 making recommendations to the Governor for candidates for the
6324 executive administrator of the Office of Governmental Accountability.
6325 [pursuant to the provisions of subsection (b) of this section, or for the
6326 purpose of terminating the employment of the executive
6327 administrator.]

6328 (2) The commission established under subdivision (1) of this
6329 subsection shall not be construed to be a board or commission within
6330 the meaning of section 4-9a.

6331 (b) (1) Notwithstanding the provisions of subdivisions (2) and (3) of
6332 this subsection concerning deadlines for recommendations for and
6333 appointment of an executive administrator of the Office of
6334 Governmental Accountability, not later than September 1, 2011, the
6335 Governor, with the approval of the General Assembly pursuant to
6336 subdivision (3) of this subsection, shall appoint a person as the
6337 executive administrator of the Office of Governmental Accountability
6338 established under section 1-300, as amended by this act. Such person
6339 shall be qualified by training and experience to perform the
6340 administrative duties of the office. The initial appointment shall be
6341 made from a list prepared by the Governmental Accountability
6342 Commission pursuant to subdivision (2) of this subsection, except in
6343 the case of such initial appointment, such list shall be of not fewer than
6344 three persons. Not later than August 1, 2011, the commission shall

6345 submit such list to the Governor. If the Governmental Accountability
6346 Commission has not submitted such list to the Governor on or before
6347 August 1, 2011, then on or after August 2, 2011, the Governor shall
6348 appoint an acting executive administrator who shall serve until a
6349 successor is appointed and confirmed in accordance with the
6350 provisions of this section.

6351 (2) Upon any vacancy in the position of executive administrator of
6352 the Office of Governmental Accountability, the commission shall meet
6353 to consider and interview successor candidates and shall submit to the
6354 Governor a list of not fewer than five and not more than seven of the
6355 most outstanding candidates, not later than sixty days after the
6356 occurrence of said vacancy. Such list shall rank the candidates in the
6357 order of commission preference. Upon receipt of the list of candidates
6358 from the commission, the Governor shall designate a candidate for the
6359 executive administrator of the Office of Governmental Accountability
6360 from among the choices not later than eight weeks after receiving such
6361 list. If at any time any candidate withdraws from consideration prior to
6362 confirmation by the General Assembly pursuant to subdivision (3) of
6363 this subsection, the Governor shall designate a candidate from the
6364 remaining candidates on the list.

6365 (3) The candidate designated by the Governor, or if, not later than
6366 eight weeks after receiving such list, the Governor fails to designate a
6367 candidate on the list, the candidate ranked first on the list, shall be
6368 referred to either house of the General Assembly for confirmation. If
6369 such house of the General Assembly is not in session, the referred
6370 candidate shall serve as acting executive administrator and be entitled
6371 to the compensation and shall carry out the duties of the executive
6372 administrator until such house meets to take action on said
6373 appointment. The person appointed executive administrator shall
6374 serve for a term of four years and may be reappointed or shall
6375 continue to hold office until such person's successor is appointed and
6376 qualified. [The Governmental Accountability Commission may
6377 terminate the term of an executive administrator in accordance with

6378 the provisions of this section.]

6379 Sec. 134. Section 22a-11 of the general statutes is repealed and the
6380 following is substituted in lieu thereof (*Effective July 1, 2013*):

6381 There shall be a Council on Environmental Quality [which shall be
6382 within the Department of Energy and Environmental Protection for
6383 administrative purposes only] within the Office of Governmental
6384 Accountability established under section 1-300, as amended by this act.
6385 Said council shall consist of nine members, five to be appointed by the
6386 Governor, two to be appointed by the speaker of the House of
6387 Representatives and two to be appointed by the president pro tempore
6388 of the Senate. No member shall be allowed to serve more than eight
6389 years of any twelve-year period. The Governor shall fill any vacancy
6390 by appointment for the unexpired portion of the term vacated. The
6391 chairman of said council shall be selected by the Governor. Members
6392 of said council shall receive no compensation for their services thereon,
6393 but shall be reimbursed for necessary expenses in the performance of
6394 their duties. Said council shall hold one meeting each month and such
6395 additional meetings as may be prescribed by council rules. In addition,
6396 special meetings may be called by the chairman or by any three
6397 members upon delivery of forty-eight hours' written notice to each
6398 member. Five members shall constitute a quorum and not fewer than
6399 three votes shall be required for any final determination of said
6400 council. The council may employ an executive director, exclusive of the
6401 provisions of chapter 67 and such additional staff and consultants as
6402 may be necessary to carry out its duties, within available
6403 appropriations.

6404 Sec. 135. Section 1-80e of the general statutes is repealed and the
6405 following is substituted in lieu thereof (*Effective July 1, 2013*):

6406 The Chief Court Administrator shall designate ten judge trial
6407 referees who shall be available to the Office of [State Ethics]
6408 Governmental Accountability to: (1) Preside over and rule at any

6409 hearing [of the Office of State Ethics] conducted on behalf of the
6410 Citizen Ethics Advisory Board; and (2) make findings as to probable
6411 cause following any investigation conducted by the ethics enforcement
6412 officer of the Office of [State Ethics] Governmental Accountability.

6413 Sec. 136. Section 1-81 of the general statutes is repealed and the
6414 following is substituted in lieu thereof (*Effective July 1, 2013*):

6415 (a) The board and general counsel and staff of the Office of State
6416 Ethics shall:

6417 (1) Compile and maintain an index of all reports, advisory opinions,
6418 informal staff letters, memoranda issued in accordance with subsection
6419 (b) of section 1-82 and statements filed by and with the Office of State
6420 Ethics to facilitate public access to such reports and advisory opinions,
6421 informal staff letters, memoranda statements as provided by this part;

6422 (2) Preserve advisory opinions and informal staff letters,
6423 permanently; preserve memoranda issued in accordance with
6424 subsection (b) of section 1-82 and statements and reports filed by and
6425 with the board for a period of five years from the date of receipt;

6426 (3) Upon the concurring vote of a majority of the board present and
6427 voting, issue advisory opinions with regard to the requirements of this
6428 part, upon the request of any person subject to the provisions of this
6429 part, and publish such advisory opinions in the Connecticut Law
6430 Journal. Advisory opinions rendered by the board, until amended or
6431 revoked, shall be binding on the board and shall be deemed to be final
6432 decisions of the board for purposes of appeal to the superior court, in
6433 accordance with the provisions of section 4-175 or 4-183. Any advisory
6434 opinion concerning the person who requested the opinion and who
6435 acted in reliance thereon, in good faith, shall be binding upon the
6436 board, and it shall be an absolute defense in any criminal action
6437 brought under the provisions of this part, that the accused acted in
6438 reliance upon such advisory opinion;

6439 (4) Respond to inquiries and provide advice regarding the code of
6440 ethics either verbally or through informal letters;

6441 (5) Provide yearly training to all state employees regarding the code
6442 of ethics;

6443 (6) Make legislative recommendations to the General Assembly and
6444 report annually, prior to April fifteenth, to the Governor summarizing
6445 the activities of the commission;

6446 (7) Meet not less than once per month with the office's executive
6447 director; [and ethics enforcement officer;] and

6448 (8) The commission may enter into such contractual agreements as
6449 may be necessary for the discharge of its duties, within the limits of its
6450 appropriated funds and in accordance with established procedures.

6451 (b) The Office of State Ethics shall employ an executive director [,]
6452 and general counsel, [and ethics enforcement officer,] each of whom
6453 shall be exempt from classified state service. The salary for the
6454 executive director [,] and general counsel [and the ethics enforcement
6455 officer] shall be determined by the Commissioner of Administrative
6456 Services in accordance with accepted personnel practices. No one
6457 person may serve in more than one of the positions described in this
6458 subsection. The Office of State Ethics may employ necessary staff
6459 within available appropriations. Such necessary staff of the Office of
6460 State Ethics shall be in classified state service.

6461 (c) The executive director, described in subsection (b) of this section,
6462 shall be appointed by the Citizen's Ethics Advisory Board for an open-
6463 ended term. Such appointment shall not be made until all the initial
6464 board members appointed to terms commencing on October 1, 2005,
6465 are appointed by their respective appointing authorities, pursuant to
6466 subsection (a) of section 1-80. The board shall annually evaluate the
6467 performance of the executive director, in writing, and may remove the
6468 executive director, in accordance with the provisions of chapter 67.

6469 (d) The general counsel [and ethics enforcement officer] described in
6470 subsection (b) of this section, and other staff of the Office of State
6471 Ethics shall be appointed by the executive director of the Office of State
6472 Ethics. The executive director shall annually evaluate the performance
6473 of the general counsel [, ethics enforcement officer] and such other
6474 staff, in writing, and may remove the general counsel, [or ethics
6475 enforcement officer,] in accordance with the provisions of chapter 67,
6476 or such other staff, in accordance with any applicable collective
6477 bargaining agreement.

6478 (e) There shall be a legal division within the Office of State Ethics.
6479 The legal division shall provide the board with legal advice on matters
6480 before said board and shall represent the board in all matters in which
6481 the board is a party, without the assistance of the Attorney General
6482 unless the board requests such assistance. The legal division shall,
6483 under the direction of the general counsel, provide information and
6484 written and verbal opinions to persons subject to the code and to the
6485 general public. The general counsel, described in subsection (b) of this
6486 section, shall supervise such division. The investigation or instigation
6487 of a complaint may not occur solely because of information received by
6488 the legal division.

6489 (f) [There shall be an enforcement division within the Office of State
6490 Ethics.] The legal and enforcement division in the Office of
6491 Governmental Accountability shall be responsible for investigating
6492 complaints brought to or by the board. [The ethics enforcement officer,
6493 described in subsection (b) of this section, shall supervise the
6494 enforcement division. The enforcement] The division shall employ
6495 such attorneys and investigators, as necessary, within available
6496 appropriations, and may refer matters to the office of the Chief State's
6497 Attorney, as appropriate.

6498 (g) The Citizen's Ethics Advisory Board shall adopt regulations in
6499 accordance with chapter 54 to carry out the purposes of this part. Such
6500 regulations shall not be deemed to govern the conduct of any judge

6501 trial referee in the performance of such judge trial referee's duties
6502 pursuant to this chapter.

6503 (h) In consultation with the executive director of the Office of State
6504 Ethics, the general counsel shall oversee yearly training of all state
6505 personnel in the code of ethics, provide training on the code of ethics
6506 to other individuals or entities subject to the code and shall make
6507 recommendations as to public education regarding ethics.

6508 Sec. 137. Section 1-82 of the general statutes is repealed and the
6509 following is substituted in lieu thereof (*Effective July 1, 2013*):

6510 (a) (1) Upon the complaint of any person on a form prescribed by
6511 the board, signed under penalty of false statement, or upon its own
6512 complaint, the [ethics enforcement officer of the Office of State Ethics]
6513 legal and enforcement division of the Office of Governmental
6514 Accountability shall investigate any alleged violation of this part or
6515 section 1-101nn. Not later than five days after the receipt or issuance of
6516 such complaint, the board shall provide notice of such receipt or
6517 issuance and a copy of the complaint by registered or certified mail to
6518 any respondent against whom such complaint is filed and shall
6519 provide notice of the receipt of such complaint to the complainant.
6520 When the [ethics enforcement officer of the Office of State Ethics]
6521 division undertakes an evaluation of a possible violation of this part or
6522 section 1-101nn prior to the filing of a complaint, the subject of the
6523 evaluation shall be notified not later than five business days after [an
6524 Office of State Ethics] a staff member's first contact with a third party
6525 concerning the matter.

6526 (2) In the conduct of its investigation of an alleged violation of this
6527 part or section 1-101nn, the legal and enforcement division of the
6528 Office of [State Ethics] Governmental Accountability shall have the
6529 power to hold hearings, administer oaths, examine witnesses and
6530 receive oral and documentary evidence. The Office of [State Ethics]
6531 Governmental Accountability may subpoena witnesses under

6532 procedural rules adopted by the Citizen's Ethics Advisory Board as
6533 regulations in accordance with the provisions of chapter 54 to compel
6534 attendance before the Office of [State Ethics] Governmental
6535 Accountability and to require the production for examination by the
6536 [ethics enforcement officer of the] Office of [State Ethics]
6537 Governmental Accountability of any books and papers which the
6538 Office of [State Ethics] Governmental Accountability deems relevant in
6539 any matter under investigation or in question, provided any such
6540 subpoena is issued either pursuant to a majority vote of the Citizen's
6541 Ethics Advisory Board or pursuant to the signature of the chairperson
6542 of such board. The vice-chairperson of such board may sign any such
6543 subpoena if the chairperson of such board is unavailable. In the
6544 exercise of such powers, the Office of [State Ethics] Governmental
6545 Accountability may use the services of the state police, who shall
6546 provide the same upon the office's request. The Office of [State Ethics]
6547 Governmental Accountability shall make a record of all proceedings
6548 conducted pursuant to this subsection. The [ethics enforcement officer
6549 of the] Office of [State Ethics] Governmental Accountability may bring
6550 any alleged violation of this part before a judge trial referee assigned
6551 by the Chief Court Administrator for such purpose for a probable
6552 cause hearing. Such judge trial referee shall be compensated in
6553 accordance with the provisions of section 52-434 from such funds as
6554 may be available to the Office of [State Ethics] Governmental
6555 Accountability. Any witness summoned before the Office of [State
6556 Ethics] Governmental Accountability or a judge trial referee pursuant
6557 to this subsection shall receive the witness fee paid to witnesses in the
6558 courts of this state. During any investigation conducted pursuant to
6559 this subsection or any probable cause hearing conducted pursuant to
6560 this subsection, the respondent shall have the right to appear and be
6561 heard and to offer any information which may tend to clear the
6562 respondent of probable cause to believe the respondent has violated
6563 any provision of this part or section 1-101nn. The respondent shall also
6564 have the right to be represented by legal counsel and to examine and
6565 cross-examine witnesses. Not later than ten days prior to the

6566 commencement of any hearing conducted pursuant to this subsection,
6567 the Office of [State Ethics] Governmental Accountability shall provide
6568 the respondent with a list of its intended witnesses. Any finding of
6569 probable cause to believe the respondent is in violation of any
6570 provisions of this part shall be made by a judge trial referee not later
6571 than thirty days after the [ethics enforcement officer] office brings such
6572 alleged violation before such judge trial referee, except that such thirty-
6573 day limitation period shall not apply if the judge trial referee
6574 determines that good cause exists for extending such limitation period.

6575 (b) If a judge trial referee determines that probable cause exists for
6576 the violation of a provision of this part or section 1-101nn, the board
6577 shall initiate hearings to determine whether there has been a violation
6578 of this part or section 1-101nn. Any such hearing shall be initiated by
6579 the board not later than thirty days after the finding of probable cause
6580 by a judge trial referee and shall be concluded not later than ninety
6581 days after its initiation, except that such thirty or ninety-day limitation
6582 period shall not apply if the judge trial referee determines that good
6583 cause exists for extending such limitation period. A judge trial referee,
6584 who has not taken part in the probable cause determination on the
6585 matter shall be assigned by the Chief Court Administrator and shall be
6586 compensated in accordance with section 52-434 out of funds available
6587 to the Office of State Ethics and shall preside over such hearing and
6588 rule on all issues concerning the application of the rules of evidence,
6589 which shall be the same as in judicial proceedings. The trial referee
6590 shall have no vote in any decision of the board. All hearings of the
6591 board held pursuant to this subsection shall be open. At such hearing
6592 the board shall have the same powers as the Office of [State Ethics]
6593 Governmental Accountability under subsection (a) of this section and
6594 the respondent shall have the right to be represented by legal counsel,
6595 the right to compel attendance of witnesses and the production of
6596 books, documents, records and papers and to examine and cross-
6597 examine witnesses. Not later than ten days prior to the commencement
6598 of any hearing conducted pursuant to this subsection, the Office of

6599 [State Ethics] Governmental Accountability shall provide the
6600 respondent with a list of its intended witnesses. The judge trial referee
6601 shall, while engaged in the discharge of the duties as provided in this
6602 subsection, have the same authority as is provided in section 51-35
6603 over witnesses who refuse to obey a subpoena or to testify with respect
6604 to any matter upon which such witness may be lawfully interrogated,
6605 and may commit any such witness for contempt for a period no longer
6606 than thirty days. The Office of [State Ethics] Governmental
6607 Accountability shall make a record of all proceedings pursuant to this
6608 subsection. During the course of any such hearing, no ex-parte
6609 communication shall occur between the board, or any of its members,
6610 and: (1) The judge trial referee, or (2) any staff member of the
6611 [Enforcement Division] legal and enforcement division of the Office of
6612 [State Ethics] Governmental Accountability, concerning the complaint
6613 or the respondent. The board shall find no person in violation of any
6614 provision of this part or section 1-101nn except upon the concurring
6615 vote of six of its members present and voting. No member of the board
6616 shall vote on the question of whether a violation of any provision of
6617 this part has occurred unless such member was physically present for
6618 the duration of any hearing held pursuant to this subsection. Not later
6619 than fifteen days after the public hearing conducted in accordance with
6620 this subsection, the board shall publish its finding and a memorandum
6621 of the reasons therefor. Such finding and memorandum shall be
6622 deemed to be the final decision of the board on the matter for the
6623 purposes of chapter 54. The respondent, if aggrieved by the finding
6624 and memorandum, may appeal therefrom to the Superior Court in
6625 accordance with the provisions of section 4-183.

6626 (c) If a judge trial referee finds, after a hearing pursuant to this
6627 section, that there is no probable cause to believe that a public official
6628 or state employee has violated a provision of this part or section 1-
6629 101nn, or if the board determines that a public official or state
6630 employee has not violated any such provision, or if a court of
6631 competent jurisdiction overturns a finding by the board of a violation

6632 by such a respondent, the state shall pay the reasonable legal expenses
6633 of the respondent as determined by the Attorney General or by the
6634 court if appropriate. If any complaint brought under the provisions of
6635 this part or section 1-101nn is made with the knowledge that it is made
6636 without foundation in fact, the respondent shall have a cause of action
6637 against the complainant for double the amount of damage caused
6638 thereby and if the respondent prevails in such action, he may be
6639 awarded by the court the costs of such action together with reasonable
6640 attorneys' fees.

6641 (d) No complaint may be made under this section later than five
6642 years after the violation alleged in the complaint has been committed.

6643 (e) No person shall take or threaten to take official action against an
6644 individual for such individual's disclosure of information to the board
6645 or the general counsel, [ethics enforcement officer] or staff of the Office
6646 of State Ethics or the Office of Governmental Accountability under the
6647 provisions of this part or section 1-101nn. After receipt of information
6648 from an individual under the provisions of this part or section 1-101nn,
6649 the Office of [State Ethics] Governmental Accountability shall not
6650 disclose the identity of such individual without such individual's
6651 consent unless the Office of [State Ethics] Governmental
6652 Accountability determines that such disclosure is unavoidable during
6653 the course of an investigation. No person shall be subject to civil
6654 liability for any good faith disclosure that such person makes to the
6655 commission.

6656 Sec. 138. Section 1-82a of the general statutes is repealed and the
6657 following is substituted in lieu thereof (*Effective July 1, 2013*):

6658 (a) Unless a judge trial referee makes a finding of probable cause, a
6659 complaint alleging a violation of this part or section 1-101nn shall be
6660 confidential except upon the request of the respondent. An evaluation
6661 of a possible violation of this part or section 1-101nn by the [Office of
6662 State Ethics] legal and enforcement division of the Office of

6663 Governmental Accountability prior to the filing of a complaint shall be
6664 confidential except upon the request of the subject of the evaluation. If
6665 the evaluation is confidential, any information supplied to or received
6666 from the Office of [State Ethics] Governmental Accountability shall not
6667 be disclosed to any third party by a subject of the evaluation, a person
6668 contacted for the purpose of obtaining information or by the [ethics
6669 enforcement officer or] staff of the Office of [State Ethics]
6670 Governmental Accountability. No provision of this subsection shall
6671 prevent the [Office of State Ethics] office from reporting the possible
6672 commission of a crime to the Chief State's Attorney or other
6673 prosecutorial authority.

6674 (b) An investigation conducted prior to a probable cause finding
6675 shall be confidential except upon the request of the respondent. If the
6676 investigation is confidential, the allegations in the complaint and any
6677 information supplied to or received from the Office of State Ethics shall
6678 not be disclosed during the investigation to any third party by a
6679 complainant, respondent, witness, designated party, or board or staff
6680 member of the Office of State Ethics or the legal and enforcement
6681 division of the Office of Governmental Accountability.

6682 (c) Not later than three business days after the termination of the
6683 investigation, the [Office of State Ethics] legal and enforcement
6684 division of the Office of Governmental Accountability on behalf of the
6685 Citizen's Ethics Advisory Board shall inform the complainant and the
6686 respondent of its finding and provide them a summary of its reasons
6687 for making that finding. The Office of State Ethics shall publish its
6688 finding upon the respondent's request and may also publish a
6689 summary of its reasons for making such finding.

6690 (d) If a judge trial referee makes a finding of no probable cause, the
6691 complaint and the record of the Office of [State Ethics'] Governmental
6692 Accountability's investigation shall remain confidential, except upon
6693 the request of the respondent and except that some or all of the record
6694 may be used in subsequent proceedings. No complainant, respondent,

6695 witness, designated party, or board or staff member of the Office of
6696 State Ethics or the legal and enforcement division of the Office of
6697 Governmental Accountability shall disclose to any third party any
6698 information learned from the investigation, including knowledge of
6699 the existence of a complaint, which the disclosing party would not
6700 otherwise have known. If such a disclosure is made, the judge trial
6701 referee may, after consultation with the respondent if the respondent is
6702 not the source of the disclosure, publish the judge trial referee's finding
6703 and a summary of the judge trial referee's reasons therefor.

6704 (e) The judge trial referee shall make public a finding of probable
6705 cause not later than five business days after any such finding. At such
6706 time the entire record of the investigation shall become public, except
6707 that the Office of [State Ethics] Governmental Accountability on behalf
6708 of the Citizen's Ethics Advisory Board may postpone examination or
6709 release of such public records for a period not to exceed fourteen days
6710 for the purpose of reaching a stipulation agreement pursuant to
6711 subsection (c) of section 4-177. Any such stipulation agreement or
6712 settlement shall be approved by a majority of those members present
6713 and voting.

6714 Sec. 139. Section 1-93 of the general statutes is repealed and the
6715 following is substituted in lieu thereof (*Effective July 1, 2013*):

6716 (a) (1) Upon the complaint of any person on a form prescribed by
6717 the Office of State Ethics, signed under penalty of false statement, or
6718 upon its own complaint, the [ethics enforcement officer of the] Office
6719 of [State Ethics] Governmental Accountability shall investigate any
6720 alleged violation of this part. Not later than five days after the receipt
6721 or issuance of such complaint, the [Office of State Ethics] legal and
6722 enforcement division of the Office of Governmental Accountability
6723 shall provide notice of such receipt or issuance and a copy of the
6724 complaint by registered or certified mail to any respondent against
6725 whom such complaint is filed and shall provide notice of the receipt of
6726 such complaint to the complainant. When the Office of [State Ethics]

6727 Governmental Accountability undertakes an evaluation of a possible
6728 violation of this part prior to the filing of a complaint, the subject of the
6729 evaluation shall be notified not later than five business days after a
6730 staff member of the Office of [State Ethics] Governmental
6731 Accountability undertakes the first contact with a third party
6732 concerning the matter.

6733 (2) In the conduct of its investigation of an alleged violation of this
6734 part, the Office of [State Ethics] Governmental Accountability shall
6735 have the power to hold hearings, administer oaths, examine witnesses
6736 and receive oral and documentary evidence. The [Office of State
6737 Ethics] legal and enforcement division of the Office of Governmental
6738 Accountability may subpoena witnesses under procedural rules
6739 adopted by the Citizen's Ethics Advisory Board as regulations in
6740 accordance with the provisions of chapter 54 to compel attendance
6741 before the Office of [State Ethics] Governmental Accountability and to
6742 require the production for examination by the [ethics enforcement
6743 officer] staff of the Office of [State Ethics] Governmental
6744 Accountability of any books and papers which the [ethics enforcement
6745 officer of the] Office of [State Ethics] Governmental Accountability
6746 deems relevant in any matter under investigation or in question,
6747 provided any such subpoena is issued either pursuant to a majority
6748 vote of the Citizen's Ethics Advisory Board or pursuant to the
6749 signature of the chairperson of such board. The vice-chairperson of
6750 such board may sign any such subpoena if the chairperson of such
6751 board is unavailable. In the exercise of such powers, the [Office of State
6752 Ethics] legal and enforcement division of the Office of Governmental
6753 Accountability may use the services of the state police, who shall
6754 provide the same upon the office's request. The Office of [State Ethics]
6755 Governmental Accountability shall make a record of all proceedings
6756 conducted pursuant to this subsection. Any witness summoned before
6757 the Office of [State Ethics] Governmental Accountability on behalf of
6758 the Citizen's Ethics Advisory Commission or a judge trial referee
6759 pursuant to this subsection shall receive the witness fee paid to

6760 witnesses in the courts of this state. The [ethics enforcement officer of
6761 the Office of State Ethics] office may bring any alleged violation of this
6762 part before a judge trial referee assigned by the Chief Court
6763 Administrator for such purpose for a probable cause hearing. Such
6764 judge trial referee shall be compensated in accordance with the
6765 provisions of section 52-434 from such funds as may be available to the
6766 Office of [State Ethics] Governmental Accountability. The respondent
6767 shall have the right to appear at any hearing held pursuant to this
6768 subsection and be heard and to offer any information which may tend
6769 to clear the respondent of probable cause to believe the respondent has
6770 violated any provision of this part. The respondent shall also have the
6771 right to be represented by legal counsel and to examine and cross-
6772 examine witnesses. Not later than ten days prior to the commencement
6773 of any hearing conducted pursuant to this subsection, the [Office of
6774 State Ethics] legal and enforcement division of the Office of
6775 Governmental Accountability shall provide the respondent with a list
6776 of its intended witnesses. Any finding of probable cause to believe the
6777 respondent is in violation of any provision of this part shall be made
6778 by a judge trial referee not later than thirty days after the [ethics
6779 enforcement officer] office brings such alleged violation before such
6780 judge trial referee, except that such thirty-day limitation period shall
6781 not apply if the judge trial referee determines that good cause exists for
6782 extending such limitation period.

6783 (b) If a judge trial referee indicates that probable cause exists for the
6784 violation of a provision of this part, the board shall initiate hearings to
6785 determine whether there has been a violation of this part. Any such
6786 hearing shall be initiated by the board not later than thirty days after
6787 the finding of probable cause by a judge trial referee and shall be
6788 concluded not later than ninety days after its initiation, except that
6789 such thirty-day or ninety-day limitation period shall not apply if the
6790 judge trial referee determines that good cause exists for extending such
6791 limitation period. A judge trial referee, who has not taken part in the
6792 probable cause determination on the matter shall be assigned by the

6793 Chief Court Administrator and shall be compensated in accordance
6794 with section 52-434 out of funds available to the board and shall
6795 preside over such hearing and rule on all issues concerning the
6796 application of the rules of evidence, which shall be the same as in
6797 judicial proceedings. The trial referee shall have no vote in any
6798 decision of the board. All hearings of the board held pursuant to this
6799 subsection shall be open. At such hearing the board shall have the
6800 same powers as the [Office of State Ethics] legal and enforcement
6801 division of the Office of Governmental Accountability under
6802 subsection (a) of this section and the respondent shall have the right to
6803 be represented by legal counsel, the right to compel attendance of
6804 witnesses and the production of books, documents, records and papers
6805 and to examine and cross-examine witnesses. Not later than ten days
6806 prior to the commencement of any hearing conducted pursuant to this
6807 subsection, the [Office of State Ethics] legal and enforcement division
6808 of the Office of Governmental Accountability shall provide the
6809 respondent with a list of its intended witnesses. The judge trial referee
6810 shall, while engaged in the discharge of the duties as provided in this
6811 subsection, have the same authority as is provided in section 51-35
6812 over witnesses who refuse to obey a subpoena or to testify with respect
6813 to any matter upon which such witness may be lawfully interrogated,
6814 and may commit any such witness for contempt for a period no longer
6815 than thirty days. The Office of [State Ethics] Governmental
6816 Accountability shall make a record of all proceedings pursuant to this
6817 subsection. During the course of any such hearing, no ex-parte
6818 communication shall occur between the board, or any of its members,
6819 and: (1) The judge trial referee, or (2) any staff member of the
6820 [Enforcement Division of the Office of State Ethics] legal and
6821 enforcement division of the Office of Governmental Accountability,
6822 concerning the complaint or the respondent. The board shall find no
6823 person in violation of any provision of this part except upon the
6824 concurring vote of six of its members present and voting. No member
6825 of the board shall vote on the question of whether a violation of any
6826 provision of this part has occurred unless such member was physically

6827 present for the duration of any hearing held pursuant to this
6828 subsection. Not later than fifteen days after the public hearing
6829 conducted in accordance with this subsection, the board shall publish
6830 its finding and a memorandum of the reasons therefor. Such finding
6831 and memorandum shall be deemed to be the final decision of the
6832 board on the matter for the purposes of chapter 54. The respondent, if
6833 aggrieved by the finding and memorandum, may appeal therefrom to
6834 the Superior Court in accordance with the provisions of section 4-183.

6835 (c) If any complaint brought under the provisions of this part is
6836 made with the knowledge that it is made without foundation in fact,
6837 the respondent shall have a cause of action against the complainant for
6838 double the amount of damage caused thereby and if the respondent
6839 prevails in such action, the respondent may be awarded by the court
6840 the costs of such action together with reasonable attorneys' fees.

6841 (d) No complaint may be made under this section except within five
6842 years next after the violation alleged in the complaint has been
6843 committed.

6844 (e) No person shall take or threaten to take official action against an
6845 individual for such individual's disclosure of information to the board
6846 or the general counsel, [ethics enforcement officer] or staff of the Office
6847 of State Ethics or the legal and enforcement division of the Office of
6848 Governmental Accountability under the provisions of this part. After
6849 receipt of information from an individual under the provisions of this
6850 part, the [Office of State Ethics] legal and enforcement division of the
6851 Office of Governmental Accountability shall not disclose the identity of
6852 such individual without such person's consent unless the [Office of
6853 State Ethics] legal and enforcement division of the Office of
6854 Governmental Accountability determines that such disclosure is
6855 unavoidable during the course of an investigation.

6856 Sec. 140. Section 1-93a of the general statutes is repealed and the
6857 following is substituted in lieu thereof (*Effective July 1, 2013*):

6858 (a) Unless a judge trial referee makes a finding of probable cause, a
6859 complaint alleging a violation of this part shall be confidential except
6860 upon the request of the respondent. An [Office of State Ethics]
6861 evaluation by the legal and enforcement division of the Office of
6862 Governmental Accountability of a possible violation of this part
6863 undertaken prior to a complaint being filed shall be confidential except
6864 upon the request of the subject of the evaluation. If the evaluation is
6865 confidential, any information supplied to or received from the Office of
6866 State Ethics or the legal and enforcement division of the Office of
6867 Governmental Accountability shall not be disclosed to any third party
6868 by a subject of the evaluation, a person contacted for the purpose of
6869 obtaining information or by a board or staff member of the Office of
6870 [State Ethics] Governmental Accountability. No provision of this
6871 subsection shall prevent the board or the Office of State Ethics from
6872 reporting the possible commission of a crime to the Chief State's
6873 Attorney or other prosecutorial authority.

6874 (b) An investigation conducted prior to a probable cause finding
6875 shall be confidential except upon the request of the respondent. If the
6876 investigation is confidential, the allegations in the complaint and any
6877 information supplied to or received from the Office of State Ethics or
6878 the legal and enforcement division of the Office of Governmental
6879 Accountability shall not be disclosed during the investigation to any
6880 third party by a complainant, respondent, witness, designated party,
6881 or Office of State Ethics, legal and enforcement division of the Office of
6882 Governmental Accountability or staff member.

6883 (c) Not later than three business days after the termination of the
6884 investigation, the [Office of State Ethics] legal and enforcement
6885 division of the Office of Governmental Accountability shall inform the
6886 complainant and the respondent of its finding and provide them a
6887 summary of its reasons for making that finding. The [Office of State
6888 Ethics] office shall publish [its] the finding upon the respondent's
6889 request and may also publish a summary of its reasons for making
6890 such finding.

6891 (d) If a judge trial referee makes a finding of no probable cause, the
6892 complaint and the record of its investigation shall remain confidential,
6893 except upon the request of the respondent and except that some or all
6894 of the record may be used in subsequent proceedings. No complainant,
6895 respondent, witness, designated party, or Office of State Ethics, legal
6896 and enforcement division of the Office of Governmental
6897 Accountability or staff member shall disclose to any third party any
6898 information learned from the investigation, including knowledge of
6899 the existence of a complaint, which the disclosing party would not
6900 otherwise have known. If such a disclosure is made, the judge trial
6901 referee may, after consultation with the respondent if the respondent is
6902 not the source of the disclosure, publish its finding and a summary of
6903 its reasons therefor.

6904 (e) The judge trial referee shall make public a finding of probable
6905 cause not later than five business days after any such finding. At such
6906 time, the entire record of the investigation shall become public, except
6907 that the [Office of State Ethics] legal and enforcement division of the
6908 Office of Governmental Accountability may postpone examination or
6909 release of such public records for a period not to exceed fourteen days
6910 for the purpose of reaching a stipulation agreement pursuant to
6911 subsection (c) of section 4-177. Any stipulation agreement or settlement
6912 entered into for a violation of this part shall be approved by a majority
6913 of its members present and voting.

6914 Sec. 141. Subsection (b) of section 1-206 of the general statutes is
6915 repealed and the following is substituted in lieu thereof (*Effective July*
6916 *1, 2013*):

6917 (b) (1) Any person denied the right to inspect or copy records under
6918 section 1-210 or wrongfully denied the right to attend any meeting of a
6919 public agency or denied any other right conferred by the Freedom of
6920 Information Act may appeal therefrom to the Freedom of Information
6921 Commission, by filing a notice of appeal with said commission which
6922 shall immediately forward such complaint to the legal and

6923 enforcement division of the Office of Governmental Accountability for
6924 processing. Any complaint involving the Office of State Ethics or the
6925 State Elections Enforcement Commission shall be retained by the
6926 executive director and general counsel of the Freedom of Information
6927 Commission and processed in accordance with this section. The legal
6928 and enforcement division of the Office of Governmental
6929 Accountability shall provide administrative assistance to the executive
6930 director and general counsel upon request. A notice of appeal shall be
6931 filed not later than thirty days after such denial, except in the case of
6932 an unnoticed or secret meeting, in which case the appeal shall be filed
6933 not later than thirty days after the person filing the appeal receives
6934 notice in fact that such meeting was held. For purposes of this
6935 subsection, such notice of appeal shall be deemed to be filed on the
6936 date it is received by said commission or on the date it is postmarked,
6937 if received more than thirty days after the date of the denial from
6938 which such appeal is taken. Upon receipt of such notice by the legal
6939 and enforcement division of the Office of Governmental
6940 Accountability, the [commission] division shall serve upon all parties,
6941 by certified or registered mail, a copy of such notice together with any
6942 other notice or order of such commission. In the case of the denial of a
6943 request to inspect or copy records contained in a public employee's
6944 personnel or medical file or similar file under subsection (c) of section
6945 1-214, the legal and enforcement division of the Office of
6946 Governmental Accountability on behalf of the commission shall
6947 include with its notice or order an order requiring the public agency to
6948 notify any employee whose records are the subject of an appeal, and
6949 the employee's collective bargaining representative, if any, of the
6950 commission's proceedings and, if any such employee or collective
6951 bargaining representative has filed an objection under said subsection
6952 (c), the agency shall provide the required notice to such employee and
6953 collective bargaining representative by certified mail, return receipt
6954 requested or by hand delivery with a signed receipt. A public
6955 employee whose personnel or medical file or similar file is the subject
6956 of an appeal under this subsection may intervene as a party in the

6957 proceedings on the matter before the commission. [Said commission]
6958 The Freedom of Information Commission shall, after due notice to the
6959 parties, hear and decide the appeal within one year after the filing of
6960 the notice of appeal. The commission shall adopt regulations in
6961 accordance with chapter 54, establishing criteria for those appeals
6962 which shall be privileged in their assignment for hearing. Any such
6963 appeal shall be heard not later than thirty days after receipt of a notice
6964 of appeal and decided not later than sixty days after the hearing. If a
6965 notice of appeal concerns an announced agency decision to meet in
6966 executive session or an ongoing agency practice of meeting in
6967 executive sessions, for a stated purpose, the legal and enforcement
6968 division of the Office of Governmental Accountability on behalf of the
6969 commission or a member or members of the [commission] Freedom of
6970 Information Commission designated by its chairperson shall serve
6971 notice upon the parties in accordance with this section and hold a
6972 preliminary hearing on the appeal not later than seventy-two hours
6973 after receipt of the notice, provided such notice shall be given to the
6974 parties at least forty-eight hours prior to such hearing. During such
6975 preliminary hearing, the commission shall take evidence and receive
6976 testimony from the parties. If after the preliminary hearing the
6977 commission finds probable cause to believe that the agency decision or
6978 practice is in violation of sections 1-200 and 1-225, the agency shall not
6979 meet in executive session for such purpose until the commission
6980 decides the appeal. If probable cause is found by the commission, it
6981 shall conduct a final hearing on the appeal and render its decision not
6982 later than five days after the completion of the preliminary hearing.
6983 Such decision shall specify the commission's findings of fact and
6984 conclusions of law.

6985 (2) In any appeal to the Freedom of Information Commission under
6986 subdivision (1) of this subsection or subsection (c) of this section, the
6987 commission may confirm the action of the agency or order the agency
6988 to provide relief that the commission, in its discretion, believes
6989 appropriate to rectify the denial of any right conferred by the Freedom

6990 of Information Act. The commission may declare null and void any
6991 action taken at any meeting which a person was denied the right to
6992 attend and may require the production or copying of any public
6993 record. In addition, upon the finding that a denial of any right created
6994 by the Freedom of Information Act was without reasonable grounds
6995 and after the custodian or other official directly responsible for the
6996 denial has been given an opportunity to be heard at a hearing
6997 conducted in accordance with sections 4-176e to 4-184, inclusive, the
6998 commission may, in its discretion, impose against the custodian or
6999 other official a civil penalty of not less than twenty dollars nor more
7000 than one thousand dollars. If the commission finds that a person has
7001 taken an appeal under this subsection frivolously, without reasonable
7002 grounds and solely for the purpose of harassing the agency from
7003 which the appeal has been taken, after such person has been given an
7004 opportunity to be heard at a hearing conducted in accordance with
7005 sections 4-176e to 4-184, inclusive, the commission may, in its
7006 discretion, impose against that person a civil penalty of not less than
7007 twenty dollars nor more than one thousand dollars. The commission
7008 shall notify a person of a penalty levied against him pursuant to this
7009 subsection by written notice sent by certified or registered mail. If a
7010 person fails to pay the penalty within thirty days of receiving such
7011 notice, the superior court for the judicial district of Hartford shall, on
7012 application of the commission, issue an order requiring the person to
7013 pay the penalty imposed. If the executive director of the commission
7014 has reason to believe an appeal under subdivision (1) of this subsection
7015 or subsection (c) of this section (A) presents a claim beyond the
7016 commission's jurisdiction; (B) would perpetrate an injustice; or (C)
7017 would constitute an abuse of the commission's administrative process,
7018 the executive director shall not schedule the appeal for hearing
7019 without first seeking and obtaining leave of the commission. The
7020 commission shall provide due notice to the parties and review
7021 affidavits and written argument that the parties may submit and grant
7022 or deny such leave summarily at its next regular meeting. The
7023 commission shall grant such leave unless it finds that the appeal: (i)

7024 Does not present a claim within the commission's jurisdiction; (ii)
7025 would perpetrate an injustice; or (iii) would constitute an abuse of the
7026 commission's administrative process. Any party aggrieved by the
7027 commission's denial of such leave may apply to the superior court for
7028 the judicial district of Hartford, within fifteen days of the commission
7029 meeting at which such leave was denied, for an order requiring the
7030 commission to hear such appeal.

7031 (3) In making the findings and determination under subdivision (2)
7032 of this subsection the commission shall consider the nature of any
7033 injustice or abuse of administrative process, including but not limited
7034 to: (A) The nature, content, language or subject matter of the request or
7035 the appeal; (B) the nature, content, language or subject matter of prior
7036 or contemporaneous requests or appeals by the person making the
7037 request or taking the appeal; and (C) the nature, content, language or
7038 subject matter of other verbal and written communications to any
7039 agency or any official of any agency from the person making the
7040 request or taking the appeal.

7041 (4) Notwithstanding any provision of this subsection to the
7042 contrary, in the case of an appeal to the commission of a denial by a
7043 public agency, the commission may, upon motion of such agency,
7044 confirm the action of the agency and dismiss the appeal without a
7045 hearing if it finds, after examining the notice of appeal and construing
7046 all allegations most favorably to the appellant, that (A) the agency has
7047 not violated the Freedom of Information Act, or (B) the agency has
7048 committed a technical violation of the Freedom of Information Act that
7049 constitutes a harmless error that does not infringe the appellant's rights
7050 under said act.

7051 Sec. 142. Section 4-65a of the general statutes is repealed and the
7052 following is substituted in lieu thereof (*Effective July 1, 2013*):

7053 (a) There shall be an Office of Policy and Management which shall
7054 be responsible for all aspects of state staff planning and analysis in the

7055 areas of budgeting, management, planning, energy policy
7056 determination and evaluation, intergovernmental policy, criminal and
7057 juvenile justice planning and program evaluation and for the
7058 establishment of personnel policy and responsibility for the personnel
7059 administration of state employees. The department head shall be the
7060 Secretary of the Office of Policy and Management, who shall be
7061 appointed by the Governor in accordance with the provisions of
7062 sections 4-5, 4-6, 4-7 and 4-8, with all the powers and duties therein
7063 prescribed. The Secretary of the Office of Policy and Management shall
7064 be the employer representative (1) in collective bargaining negotiations
7065 concerning changes to the state employees retirement system and
7066 health and welfare benefits, and (2) in all other matters involving
7067 collective bargaining, including negotiation and administration of all
7068 collective bargaining agreements and supplemental understandings
7069 between the state and the state employee unions concerning all
7070 executive branch employees except (A) employees of the Division of
7071 Criminal Justice, and (B) faculty and professional employees of boards
7072 of trustees of constituent units of the state system of higher education.
7073 The secretary may designate a member of the secretary's staff to act as
7074 the employer representative in the secretary's place.

7075 (b) There shall be such undersecretaries as may be necessary for the
7076 efficient conduct of the business of the office. Each such undersecretary
7077 shall be appointed by the secretary and shall be qualified and
7078 experienced in the functions to be performed by him. The positions of
7079 each such undersecretary shall be exempt from the classified service.

7080 (c) The secretary may delegate to the deputy secretary all or part of
7081 the authority, powers and duties of the secretary.

7082 (d) The Office of Policy and Management shall constitute a
7083 successor department to the Department of Administrative Services in
7084 accordance with the provisions of sections 4-38d, 4-38e and 4-39 with
7085 respect to the establishment of personnel policy and responsibility for
7086 the personnel administration of state employees, except for the

7087 oversight of state worker's compensation claims. Where any order or
7088 regulation of the Department of Administrative Services pursuant to
7089 chapter 67 conflict, the Secretary of the Office of Policy and
7090 Management may implement policies and procedures consistent with
7091 the provisions of chapter 67 while in the process of adopting the
7092 policies or procedures in regulation form, provided notice of intent to
7093 adopt such regulations is printed in the Connecticut Law Journal not
7094 later than twenty days after implementation. Any such policies or
7095 procedures shall be valid until the time final regulations are adopted.

7096 Sec. 143. Subsection (b) of section 1-81 of the general statutes is
7097 repealed and the following is substituted in lieu thereof (*Effective July*
7098 *1, 2013*):

7099 (b) The Office of State Ethics shall employ an executive director,
7100 general counsel and ethics enforcement officer, each of whom shall be
7101 exempt from classified state service. The salary for the executive
7102 director, general counsel and the ethics enforcement officer shall be
7103 determined by the [Commissioner of Administrative Services]
7104 Secretary of the Office of Policy and Management in accordance with
7105 accepted personnel practices. No one person may serve in more than
7106 one of the positions described in this subsection. The Office of State
7107 Ethics may employ necessary staff within available appropriations.
7108 Such necessary staff of the Office of State Ethics shall be in classified
7109 state service.

7110 Sec. 144. Subsection (a) of section 1-83 of the general statutes is
7111 repealed and the following is substituted in lieu thereof (*Effective July*
7112 *1, 2013*):

7113 (a) (1) All state-wide elected officers, members of the General
7114 Assembly, department heads and their deputies, members of the
7115 Gaming Policy Board, members or directors of each quasi-public
7116 agency, members of the Investment Advisory Council, state marshals
7117 and such members of the Executive Department and such employees

7118 of quasi-public agencies as the Governor shall require, shall file, under
7119 penalty of false statement, a statement of financial interests for the
7120 preceding calendar year with the Office of State Ethics on or before the
7121 May first next in any year in which they hold such a position. Any
7122 such individual who leaves his or her office or position shall file a
7123 statement of financial interests covering that portion of the year during
7124 which such individual held his or her office or position. The Office of
7125 State Ethics shall notify such individuals of the requirements of this
7126 subsection not later than thirty days after their departure from such
7127 office or position. Such individuals shall file such statement within
7128 sixty days after receipt of the notification.

7129 (2) Each state agency, department, board and commission shall
7130 develop and implement, in cooperation with the Office of State Ethics,
7131 an ethics statement as it relates to the mission of the agency,
7132 department, board or commission. The executive head of each such
7133 agency, department, board or commission shall be directly responsible
7134 for the development and enforcement of such ethics statement and
7135 shall file a copy of such ethics statement with the [Department of
7136 Administrative Services] Secretary of the Office of Policy and
7137 Management and the Office of State Ethics.

7138 Sec. 145. Section 2-91 of the general statutes is repealed and the
7139 following is substituted in lieu thereof (*Effective July 1, 2013*):

7140 Determinations made under the provisions of section 4-40 or
7141 chapter 67 with respect to classification or compensation of personnel
7142 of the Office of Auditors of Public Accounts shall, upon request of said
7143 auditors, be examined by the Joint Committee on Legislative
7144 Management. If said committee finds that modifications of such
7145 determinations are required to facilitate the orderly fulfillment of the
7146 responsibility of the Office of Auditors to the General Assembly, it
7147 shall recommend such required modifications to the [Commissioner of
7148 Administrative Services] Secretary of the Office of Policy and
7149 Management. The [Commissioner of Administrative Services]

7150 Secretary of the Office of Policy and Management shall thereupon
7151 implement such recommended modifications and incorporate them
7152 into the state compensation and classification plan without the
7153 necessity of further recourse to the approval or certification procedures
7154 specified in sections 4-40, as amended by this act, 5-200, as amended
7155 by this act, 5-206, as amended by this act, and 5-214. No modification
7156 shall be recommended by the committee which will cause the
7157 expenditures of the Office of Auditors of Public Accounts to exceed
7158 appropriations made to said office by the General Assembly; provided
7159 such appropriations shall not be subject to allotment restriction under
7160 the provisions of section 4-85.

7161 Sec. 146. Section 3-12a of the general statutes is repealed and the
7162 following is substituted in lieu thereof (*Effective July 1, 2013*):

7163 In addition to the appointments authorized under section 3-13a, the
7164 Treasurer may appoint, as the Treasurer determines is necessary,
7165 officers and other investment-related personnel in other divisions of
7166 the office of the Treasurer, with the approval of the [Commissioner of
7167 Administrative Services and the] Secretary of the Office of Policy and
7168 Management. Such officers and investment-related personnel shall
7169 serve at the pleasure of the Treasurer.

7170 Sec. 147. Section 3-119a of the general statutes is repealed and the
7171 following is substituted in lieu thereof (*Effective July 1, 2013*):

7172 (a) The Comptroller shall develop, implement and maintain a
7173 comprehensive retirement data base system and shall regularly consult
7174 and inform the State Employees Retirement Commission concerning
7175 the system.

7176 (b) The Comptroller, in conjunction with the [Commissioner of
7177 Administrative Services] Secretary of the Office of Policy and
7178 Management, shall develop, implement and maintain a state-wide
7179 time and attendance system. The system shall be integrated with the
7180 central payroll system and compatible with the development of the

7181 comprehensive retirement data base system.

7182 Sec. 148. Section 4-15 of the general statutes is repealed and the
7183 following is substituted in lieu thereof (*Effective July 1, 2013*):

7184 Except as provided in sections 2-15 and 4-14, the Comptroller shall
7185 not draw any order on the Treasurer for any sum to cover any charge
7186 for expense for travel to and from his home and the Capitol, or any
7187 personal expense while at the Capitol, of any officer or employee of the
7188 state having an office in the Capitol; or for any sum charged for clerical
7189 services rendered such officer or employee other than services
7190 rendered at the office of such officer or employee at the Capitol, except
7191 for clerical or special services approved by the [Commissioner of
7192 Administrative Services] Secretary of the Office of Policy and
7193 Management.

7194 Sec. 149. Section 4-40 of the general statutes is repealed and the
7195 following is substituted in lieu thereof (*Effective July 1, 2013*):

7196 The salaries, compensation and wages of all state officers, boards,
7197 commissions, deputies and employees, except in the Legislative and
7198 Judicial Departments of the state government, not prescribed by
7199 statute or special act, shall be determined [, subject to the approval of]
7200 by the Secretary of the Office of Policy and Management. [, by the
7201 Commissioner of Administrative Services.] The [salaries of the
7202 Commissioner of Administrative Services and] salary of the Secretary
7203 of the Office of Policy and Management shall be determined by the
7204 Governor. Salaries, compensation and wages in the legislative
7205 department shall be determined by the General Assembly and, in the
7206 Judicial Department, when not prescribed by statute or special act,
7207 shall be determined by the judges of the Supreme Court in accordance
7208 with the applicable provisions of section 51-12, unless the appointing
7209 authority is empowered to fix, approve, or otherwise determine, such
7210 salaries, compensation or wages in which case the salaries,
7211 compensation or wages so fixed, approved or otherwise determined

7212 shall not exceed the salaries, compensation or wages fixed for
7213 comparable positions in the compensation plan referred to in section
7214 51-12.

7215 Sec. 150. Section 4-40a of the general statutes is repealed and the
7216 following is substituted in lieu thereof (*Effective July 1, 2013*):

7217 Members of the examining and licensing boards and commissions
7218 acting under title 20 shall be compensated for their services at rates
7219 established by the [Commissioner of Administrative Services]
7220 Secretary of the Office of Policy and Management, subject to the
7221 provisions of section 4-40, as amended by this act, and such
7222 compensation and the expenses of each such board or commission
7223 shall be charged against appropriations of the General Fund.

7224 Sec. 151. Section 4-61aa of the general statutes is repealed and the
7225 following is substituted in lieu thereof (*Effective July 1, 2013*):

7226 (a) There is established a committee to encourage the employment
7227 by the state of persons with disabilities. The Commissioner of
7228 [Administrative] Rehabilitation Services shall appoint the members of
7229 the committee, which shall be chaired by such commissioner, or [his] a
7230 designee, and include one representative of each of the following:

7231 (1) The Board of Education and Services to the Blind;

7232 (2) The Commission on the Deaf and Hearing Impaired;

7233 (3) The [Department of Rehabilitation Services.] Office of Policy and
7234 Management;

7235 (4) The Office of Protection and Advocacy for Persons with
7236 Disabilities;

7237 (5) The Department of Mental Health and Addiction Services;

7238 (6) The Department of Developmental Services; [and]

7239 (7) The Labor Department; and

7240 (8) The Department of Administrative Services.

7241 (b) The committee shall:

7242 (1) [Advise,] Upon the request of the state Americans with
7243 Disabilities Act coordinator, advise and develop written guidelines for
7244 [the Commissioner of Administrative Services and the executive
7245 heads of other state agencies regarding] the adaptation of employment
7246 examinations and alternative hiring processes for, and the reasonable
7247 accommodation of, persons with disabilities; and

7248 (2) Review [the program established under subsection (b) of section
7249 4-61u and] compliance with the provisions of section 46a-70
7250 concerning persons with physical disabilities.

7251 Sec. 152. Section 4-61jj of the general statutes is repealed and the
7252 following is substituted in lieu thereof (*Effective July 1, 2013*):

7253 (a) Each state agency, with the approval of the [Commissioner of
7254 Administrative Services] Secretary of the Office of Policy and
7255 Management, may (1) provide for the recognition of volunteers who
7256 have served the agency and paid employees who have worked with
7257 the volunteers, and (2) provide volunteers with such incidental
7258 benefits or reimbursements as are consistent with section 4-61ll.

7259 (b) The [Commissioner of Administrative Services] Secretary of the
7260 Office of Policy and Management shall adopt regulations in
7261 accordance with chapter 54 to provide for the recognition of volunteer
7262 service as partial fulfillment of state employment requirements of
7263 training or experience.

7264 Sec. 153. Section 4-70e of the general statutes is repealed and the
7265 following is substituted in lieu thereof (*Effective July 1, 2013*):

7266 (a) There is established an Office of Finance which shall be within

7267 the Office of Policy and Management and shall report directly to the
7268 Secretary of the Office of Policy and Management. The Office of
7269 Finance shall be administered by an executive financial officer.

7270 (b) The executive financial officer of the Office of Finance shall,
7271 subject to the approval of the secretary: (1) Establish state agency
7272 financial policies, (2) review and approve, amend or reject all budget
7273 requests of state agencies for financial systems and operations and take
7274 actions to remedy any deficiencies in such systems and operations, (3)
7275 review and advise the executive heads of state agencies concerning
7276 agency financial staff needs, (4) [in cooperation with the Department of
7277 Administrative Services,] review the performance evaluations of state
7278 agency financial management personnel made by the executive heads
7279 of such agencies, recommend career development programs for higher
7280 level managers, coordinate interagency transfers of financial managers
7281 and advise state agencies concerning personnel policies and salary
7282 scales for financial managers, (5) monitor financial reports of all state
7283 agencies and (6) organize and implement programs for the exchange of
7284 information and technology concerning financial systems among state
7285 agencies and other state financial personnel.

7286 Sec. 154. Section 4a-2a of the general statutes is repealed and the
7287 following is substituted in lieu thereof (*Effective July 1, 2013*):

7288 (a) For the fiscal year ending June 30, 1999, and each fiscal year
7289 thereafter, the [Commissioner of Administrative Services] Secretary of
7290 the Office of Policy and Management, in consultation with the
7291 Commissioner of Mental Health and Addiction Services and the
7292 Commissioner of Emergency Services and Public Protection, shall,
7293 within the limits of available appropriations, provide an appropriate
7294 program of workplace stress awareness and prevention for state
7295 employees.

7296 (b) On or before January 1, 2012, the [Commissioner of
7297 Administrative Services] Secretary of the Office of Policy and

7298 Management shall develop an employee training program to instruct
7299 state employees on workplace violence awareness, prevention and
7300 preparedness. Any full-time employee, as defined in section 5-196, as
7301 amended by this act, employed by the state prior to January 1, 2012,
7302 shall be required to attend the training described in this subsection.
7303 Any full-time employee employed by the state on or after January 1,
7304 2012, shall be required, not later than six months from the date of hire,
7305 to attend the training described in this subsection as a condition of his
7306 or her employment.

7307 Sec. 155. Section 4a-2c of the general statutes is repealed and the
7308 following is substituted in lieu thereof (*Effective July 1, 2013*):

7309 [On or before February 1, 2000, the Commissioner of Administrative
7310 Services] The Secretary of the Office of Policy and Management, with
7311 the advice and assistance of the Commission on Human Rights and
7312 Opportunities shall, within available appropriations, develop a
7313 standardized diversity training program which shall be used by each
7314 state agency in completing the diversity training required under
7315 section 46a-54. Such program shall include, but shall not be limited to,
7316 training and education concerning the federal and state statutory
7317 provisions concerning discrimination and hate crimes directed at
7318 protected classes and remedies available to victims of discrimination
7319 and hate crimes, standards for working with and serving persons from
7320 diverse populations and strategies for addressing differences that may
7321 arise from diverse work environments.

7322 Sec. 156. Section 4a-7a of the general statutes is repealed and the
7323 following is substituted in lieu thereof (*Effective July 1, 2013*):

7324 (a) As used in this section, "personal service agreement" means a
7325 written agreement between the state and an individual for services
7326 rendered to the state which are infrequent or unique.

7327 (b) A personal service agreement between a state agency and an
7328 individual shall have a term of not more than one year. Any such

7329 personal service agreement may be extended or renewed, for an
7330 unlimited term, provided the appropriate collective bargaining
7331 representative, the [Commissioner of Administrative Services]
7332 Secretary of the Office of Policy and Management and the joint
7333 standing committee of the General Assembly having cognizance of
7334 matters relating to labor and public employees are notified of such
7335 extension or renewal.

7336 Sec. 157. Section 5-141b of the general statutes is repealed and the
7337 following is substituted in lieu thereof (*Effective July 1, 2013*):

7338 The [Commissioner of Administrative Services] Comptroller may
7339 issue a statement to all state employees which shall include a summary
7340 of medical benefits, survivors' benefits and normal retirement benefits
7341 for each employee and a summary of general salary and other fringe
7342 benefit provisions.

7343 Sec. 158. Section 5-141c of the general statutes is repealed and the
7344 following is substituted in lieu thereof (*Effective July 1, 2013*):

7345 The [Commissioner of Administrative Services, with the approval of
7346 the] Secretary of the Office of Policy and Management [,] shall
7347 establish and implement regulations, in accordance with the
7348 provisions of chapter 54, for the reimbursement of state employees for
7349 expenses incurred in the performance of their duties, except to the
7350 extent that such reimbursement is otherwise provided in accordance
7351 with the provisions of chapter 67 or 68.

7352 Sec. 159. Subsection (b) of section 5-164 of the general statutes is
7353 repealed and the following is substituted in lieu thereof (*Effective July*
7354 *1, 2013*):

7355 (b) A member who has reached the retirement age of seventy may
7356 be continued in his position in state service, if such continuation is
7357 approved by the [Commissioner of Administrative Services] Secretary
7358 of the Office of Policy and Management. The appointing authority

7359 requesting such continuation shall certify in writing to the
7360 [Commissioner of Administrative Services] Secretary of the Office of
7361 Policy and Management that the continuation is desirable for the
7362 efficient conduct of the state's business and that the member is able
7363 and qualified to perform the work required. Approval by the
7364 [Commissioner of Administrative Services] Secretary of the Office of
7365 Policy and Management of such continuation shall be for a period of
7366 one year, which may be renewed by [said commissioner] the secretary
7367 upon request by the appointing authority.

7368 Sec. 160. Subsection (d) of section 5-175 of the general statutes is
7369 repealed and the following is substituted in lieu thereof (*Effective July*
7370 *1, 2013*):

7371 (d) No increase in the number of employees of a state-aided
7372 institution who may become members shall be made unless the
7373 [Commissioner of Administrative Services] Secretary of the Office of
7374 Policy and Management approves such increase as to necessity and
7375 desirability.

7376 Sec. 161. Subsection (e) of section 5-192*l* of the general statutes is
7377 repealed and the following is substituted in lieu thereof (*Effective July*
7378 *1, 2013*):

7379 (e) Retirement on the first day of the month on or after the member's
7380 seventieth birthday is mandatory regardless of whether he is eligible
7381 for a retirement income under this section except:

7382 (1) A department head, as defined in section 4-5, or any
7383 commissioner appointed to office in the executive branch by the
7384 Governor with or without the approval of the General Assembly or
7385 either branch thereof, who reaches his retirement date, namely, the
7386 first day of the month on or after his seventieth birthday, during the
7387 term for which he is appointed, may continue in office after such
7388 retirement date until the expiration of such term. Any such person
7389 who had reached such date prior to his reappointment as such

7390 commissioner may serve for the term for which he is so reappointed.

7391 (2) A member who has reached the retirement age of seventy may
7392 be continued in his position in state service, if such continuation is
7393 approved by the [Commissioner of Administrative Services] Secretary
7394 of the Office of Policy and Management. The appointing authority
7395 requesting such continuation shall certify in writing to the
7396 [Commissioner of Administrative Services] Secretary of the Office of
7397 Policy and Management that the continuation is desirable for the
7398 efficient conduct of the state's business and that the member is able
7399 and qualified to perform the work required. Approval by the
7400 [Commissioner of Administrative Services] Secretary of the Office of
7401 Policy and Management of such continuation shall be for a period of
7402 one year, which may be renewed by [said commissioner] the secretary
7403 upon request by the appointing authority.

7404 (3) A member who is a teacher, instructor, principal,
7405 superintendent, or supervisor employed by the State Board of
7406 Education or any state institution, and who has reached the retirement
7407 age of seventy may be continued in his position of state service to the
7408 end of the fiscal year in which his seventieth birthday falls, without the
7409 approval of the [Commissioner of Administrative Services] Secretary
7410 of the Office of Policy and Management.

7411 (4) A department head, head of an institution, or administrator of a
7412 state fund may be continued as provided in subdivision (2) of this
7413 subsection. A continuation of such employee beyond the age of
7414 seventy-three shall be requested by the appointing authority in writing
7415 and shall require the approval of the Governor.

7416 (5) A duly appointed and acting messenger or assistant messenger
7417 of any constituent court of the Judicial Department who has reached
7418 his retirement age of seventy may be reemployed, pursuant to section
7419 51-78, in the service of the court in which he has been a messenger at
7420 the salary paid him at the time of his retirement. Such reemployment

7421 shall continue until such time as the judges of said court terminate the
7422 same. Subdivision (2) of this subsection does not apply to any such
7423 messenger.

7424 (6) Except as provided in section 5-192v, the existing retirement
7425 rights of a member continued under this section after his retirement
7426 date shall not be affected by such continuation, and additional
7427 retirement rights shall accrue to him. The provisions of chapter 67
7428 dealing with examinations, certifications, and appointments to and
7429 separations from the service shall not apply to any such member.

7430 Sec. 162. Section 5-196 of the general statutes is repealed and the
7431 following is substituted in lieu thereof (*Effective July 1, 2013*):

7432 As used in this chapter, unless the context otherwise requires:

7433 (1) "Agency" means a department, board, institution or commission
7434 established by statute, not a part of any other department, board,
7435 institution or commission.

7436 (2) "Allocation" means the official assignment of a position in the
7437 classified service to the appropriate standard class of the classification
7438 plan.

7439 (3) "Appointing authority" means a board, commission, officer,
7440 commissioner, person or group of persons or the designee of such
7441 board, commission, officer, commissioner, person, person or group of
7442 persons having the power to make appointments by virtue of a statute
7443 or by lawfully delegated authority.

7444 (4) "Candidate list" means a list of the names of persons based on
7445 merit as determined under the provisions of this chapter, which
7446 persons have been found qualified through suitable examinations for
7447 employment in positions allocated to a specified class, occupational
7448 group or career progression level.

7449 (5) "Class", "class of positions" or "position classification" means a

7450 position or group of positions in the state classified service established
7451 under this chapter that share general characteristics and are
7452 categorized under a single title for administrative purposes.

7453 (6) "Classified service" means every office or position in the state
7454 service, whether full-time or part-time, for which compensation is
7455 paid, except those offices and positions specified in section 5-198 or
7456 otherwise expressly provided by statute.

7457 (7) "Compensation" means the salary, wages, benefits and other
7458 forms of valuable consideration earned by and provided to an
7459 employee in remuneration for services rendered.

7460 (8) "Compensation schedule" or "compensation plan" means a list or
7461 lists specifying a series of compensation steps and ranges.

7462 (9) "Eligible" or "eligible person" means a person [whose name is on
7463 a candidate list] who has either met the requirements of the class and
7464 determined qualified by the Office of Policy and Management or who
7465 is placed on a candidate list by an examination administered by or at
7466 the direction of the Office of Policy and Management.

7467 (10) "Employee" or "state employee" means any person holding a
7468 position in state service subject to appointment by an appointing
7469 authority.

7470 (11) "Examination" means an assessment device or technique
7471 yielding scores or ratings designed to determine the fitness of
7472 candidates for positions allocated to a specified class, occupational
7473 group or career progression level.

7474 (12) "Full-time employee" means an employee holding a position
7475 normally requiring thirty-five hours or more of service in each week.

7476 [(13) "Generic job class" means a job classification comprised of
7477 positions covering a diversity of assignments which are either
7478 occupationally or functionally related.]

7479 [(14)] (13) "Good standing" means the status of an employee whose
7480 employment in the state service has been terminated other than as a
7481 result of disciplinary action or during a period when disciplinary
7482 action was pending.

7483 [(15)] (14) "Grade" or "pay grade" means a relative level, numerically
7484 expressed, to which one or more classes may be assigned according to
7485 the degree of their complexity, importance and value, and which refers
7486 to a single pay range in the compensation schedule.

7487 [(16)] (15) "Minimum earned rating" means the lowest score or
7488 rating that entitles a candidate to pass the examination.

7489 [(17)] (16) "Officer" or "state officer" means any person appointed to
7490 a state office established by statute, including appointing authorities.

7491 [(18)] (17) "Part-time employee" means an employee holding a
7492 position normally requiring less than thirty-five hours of service in
7493 each week.

7494 [(19)] (18) "Permanent appointment" means appointment to a
7495 position in the classified service following successful completion of the
7496 required working test.

7497 [(20)] (19) "Permanent employee" means an employee holding a
7498 position in the classified service under a permanent appointment or an
7499 employee holding a position in unclassified service who has served in
7500 such a position for a period of more than six months, except employees
7501 in positions funded in whole or in part by the federal government as
7502 part of any public service employment program, on-the-job training
7503 program or work experience program.

7504 [(21)] (20) "Permanent position" means any position in the classified
7505 service which requires or which is expected to require the services of
7506 an incumbent without interruption for a period of more than six
7507 months, except positions funded in whole or in part by the federal

7508 government as part of any public service employment program, on-
7509 the-job training program or work experience program.

7510 [(22)] (21) "Position" means a group of duties and responsibilities
7511 currently assigned or designated by competent authority to require the
7512 services of one employee.

7513 [(23)] (22) "Public member" means a member of a board or
7514 commission who does not hold any office or position in the state
7515 service.

7516 [(24)] (23) "Reemployment list" means a list of names of persons
7517 arranged in the order prescribed by the provisions of this chapter and
7518 by regulations issued in accordance with this chapter, which persons
7519 have occupied positions allocated to any class in the classified service,
7520 and are no longer in such class and are entitled to have their names
7521 certified to appointing authorities when vacancies in such class are to
7522 be filled, in preference to those whose names are on the candidate list
7523 for such class.

7524 [(25)] (24) "State service" means occupancy of any office or position
7525 or employment in the service of the state, but not of local
7526 governmental subdivisions thereof, for which compensation is paid.

7527 [(26)] (25) "Temporary position" means a position in the state service
7528 which is expected to require the services of an incumbent for a period
7529 not in excess of six months.

7530 [(27)] (26) "Unclassified service" means any office or position in the
7531 state service which is not in the classified service.

7532 [(28)] (27) "Working test" means a trial working period made a part
7533 of the selective process under the provisions of this chapter and by
7534 regulations issued in accordance with this chapter, during which the
7535 work and conduct of the employee shall be noted by the appointing
7536 authority or his authorized agent and reported upon to determine

7537 whether such employee merits permanent appointment.

7538 [(29)] (28) "Veteran", when used in this chapter and in section 5-180,
7539 means any person who has been honorably discharged from or
7540 released under honorable conditions from active service in the armed
7541 forces of the United States and who has performed such service in time
7542 of war, as such terms are defined in section 27-103, except that the final
7543 date for service in time of war during World War II shall be December
7544 31, 1947.

7545 [(30)] (29) "Managerial employee" means any person presently
7546 covered by the existing managerial compensation plan pursuant to
7547 subsection (g) of section 5-270.

7548 [(31)] (30) "Career progression level" means the following career
7549 levels in which each class of positions shall be categorized as
7550 determined by the [Commissioner of Administrative Services]
7551 Secretary of the Office of Policy and Management based on general job
7552 characteristics and minimum requirements for knowledge, skill and
7553 ability, including, but not limited to, education, employment history
7554 and special skills: (A) Entry, (B) working, (C) lead, (D) supervisor, and
7555 (E) manager.

7556 [(32)] (31) "Occupational group" means broad occupational areas in
7557 which each class of positions shall be categorized as determined by the
7558 [Commissioner of Administrative Services] Secretary of the Office of
7559 Policy and Management.

7560 Sec. 163. Subsections (a) and (b) of section 5-180 of the general
7561 statutes are repealed and the following is substituted in lieu thereof
7562 (*Effective July 1, 2013*):

7563 (a) The war service before September 1, 1939, of a veteran, as
7564 defined in section 27-103 and [subdivision (29) of] section 5-196, as
7565 amended by this act, shall be counted as state service if the member
7566 began to make his retirement contributions before September 1, 1941,

7567 and made retirement contributions on all salary received by him from
7568 September 1, 1939, until his retirement date.

7569 (b) The war service before September 1, 1939, of a veteran who
7570 became a member after September 1, 1939, and the war service or
7571 military service during a national emergency declared by the President
7572 of the United States on and after September 1, 1939, of a veteran who
7573 became a member at any time, shall be counted as state service if the
7574 member makes retirement contributions for each month of war service
7575 as defined by section 27-103 and described in subdivision [(29)] (28) of
7576 section 5-196, as amended by this act, or for each month of such service
7577 during a national emergency, as the case may be. Any veteran who
7578 becomes a member on or after July 1, 1975, shall not receive credit for
7579 such war or military service if such member has received or is entitled
7580 to receive any retirement allowance for the same years of such service
7581 from the federal government. Any veteran who is a member and who
7582 has not made application for such credit prior to July 1, 1975, shall not
7583 receive credit for such service if such member has received or is
7584 entitled to receive any retirement allowance for the same years of such
7585 service from the federal government unless such member makes
7586 application for such credit to the Retirement Commission on or before
7587 October 1, 1975, and makes retirement contributions for each month of
7588 such service in accordance with the provisions of this subsection. The
7589 Comptroller of the state may notify each employee of this provision on
7590 or before September 1, 1975. Such contributions shall equal one-twelfth
7591 of four per cent of his first year's salary as a state employee multiplied
7592 by the total number of months of such war service or national
7593 emergency service and, if such employee became a member after April
7594 1, 1958, shall be accompanied by interest at four per cent per year from
7595 the time such war service was rendered or from September 1, 1939,
7596 whichever is later, until the date of payment or January 1, 1962,
7597 whichever is earlier. Such contributions may be paid by payroll
7598 deductions as determined by the Retirement Commission over a
7599 period not to exceed thirty-six months, interest thereon to be paid not

7600 later than the last day of the month following the payment of the last
7601 of such deductions. Service credit for retirement purposes shall not be
7602 granted unless payment of contributions and interest is completed. No
7603 credit shall be given hereunder for military service during a national
7604 emergency to any state employee who has served less than ten years as
7605 a permanent full-time state employee, nor for any such military service
7606 beyond a total period of his compulsory service, if any, plus three
7607 years.

7608 Sec. 164. Subsection (a) of section 5-248a of the general statutes is
7609 repealed and the following is substituted in lieu thereof (*Effective July*
7610 *1, 2013*):

7611 (a) For purposes of this section, "child" means a biological, adopted
7612 or foster child, stepchild, child of whom a person has legal
7613 guardianship or custody, or, in the alternative, a child of a person
7614 standing in loco parentis, who is (1) under eighteen years of age, or (2)
7615 eighteen years of age or older and incapable of self-care because of a
7616 mental or physical disability. Each permanent employee, as defined in
7617 [subdivision (20) of] section 5-196, as amended by this act, shall be
7618 entitled to a family leave of absence upon the birth or adoption of a
7619 child of such employee, or upon the serious illness of a child, spouse or
7620 parent of such employee; and a medical leave of absence upon the
7621 serious illness of such employee or in order for such employee to serve
7622 as an organ or bone marrow donor. The total amount of time that an
7623 employee is entitled to for leaves of absence pursuant to this section
7624 shall be twenty-four weeks within any two-year period. Any such
7625 leave of absence shall be without pay. Upon the expiration of any such
7626 leave of absence, the employee shall be entitled (A) to return to the
7627 employee's original job from which the leave of absence was provided
7628 or, if not available, to an equivalent position with equivalent pay,
7629 except that in the case of a medical leave, if the employee is medically
7630 unable to perform the employee's original job upon the expiration of
7631 such leave, the [Personnel Division of the Department of
7632 Administrative Services] Secretary of the Office of Policy and

7633 Management shall endeavor to find other suitable work for such
7634 employee in state service, and (B) to all accumulated seniority,
7635 retirement, fringe benefit and other service credits the employee had at
7636 the commencement of such leave. Such service credits shall not accrue
7637 during the period of the leave of absence.

7638 Sec. 165. Subsection (g) of section 5-248a of the general statutes is
7639 repealed and the following is substituted in lieu thereof (*Effective July*
7640 *1, 2013*):

7641 (g) Each permanent employee, as defined in [subdivision (20) of]
7642 section 5-196, as amended by this act, who is the spouse, son or
7643 daughter, parent or next of kin of a current member of the armed
7644 forces, as defined in section 27-103, who is undergoing medical
7645 treatment, recuperation or therapy, is otherwise in outpatient status or
7646 is on the temporary disability retired list for a serious injury or illness
7647 incurred in the line of duty, shall be entitled to a one-time benefit of
7648 twenty-six workweeks of leave within a single two-year period for
7649 each armed forces member per serious injury or illness incurred in the
7650 line of duty.

7651 Sec. 166. Subsection (d) of section 5-257 of the general statutes is
7652 repealed and the following is substituted in lieu thereof (*Effective July*
7653 *1, 2013*):

7654 (d) The insurance of any employee insured under this section shall
7655 cease on termination of employment, and of any member of the
7656 General Assembly at the end of such member's term of office, subject
7657 to any conversion privilege provided in the group life insurance policy
7658 or policies. Notwithstanding any provision of this section, the amounts
7659 of life insurance of insured employees retired in accordance with any
7660 retirement plan for state employees shall be as follows: The amount of
7661 life insurance of an insured employee retired before, on or after July 1,
7662 1998, with twenty-five or more years of state service, as defined in
7663 [subdivision (25) of] section 5-196, as amended by this act, or a member

7664 of the General Assembly who is retired on or after July 1, 1988, with
7665 twenty-five or more years of service, shall be one-half of the amount of
7666 life insurance for which the employee was insured immediately before
7667 retirement, provided in no case shall the amount be less than ten
7668 thousand dollars, those with less than twenty-five years of service shall
7669 receive the proportionate amount that such years of service is to
7670 twenty-five years rounded off to the nearest hundred dollars of
7671 coverage, except that the amount of life insurance of an insured
7672 employee who is retired on or after July 1, 1982, under the provisions
7673 of section 5-173 shall be one-half of the amount of life insurance for
7674 which the employee was insured immediately before retirement,
7675 regardless of the number of years of service by such employee. In no
7676 case shall a retired employee be required to contribute to the cost of
7677 any such reduced insurance. For the purposes of this section, no
7678 employee shall be deemed to be retired as long as such employee's
7679 employment continues under subsections (b) and (e) of section 5-164.

7680 Sec. 167. Subsection (a) of section 45a-54 of the general statutes is
7681 repealed and the following is substituted in lieu thereof (*Effective July*
7682 *1, 2013*):

7683 (a) Any judge or employee who is not yet receiving a retirement
7684 allowance may apply to the Retirement Commission for credit for
7685 service as a member of the General Assembly and for military service,
7686 consisting of war service, as defined in section 27-103 and described in
7687 subdivision [(29)] (28) of section 5-196, as amended by this act, and
7688 national emergency service as defined by law, provided credit for such
7689 military and General Assembly service shall not exceed three years in
7690 the aggregate. Any such application for credit for service as a member
7691 of the General Assembly must be filed within one year of the date
7692 upon which the judge or employee first becomes a member or within
7693 one year of October 1, 1986, whichever is later. Any such application
7694 for credit for military service must be filed within one year of the date
7695 upon which the judge or employee first becomes a member or within
7696 one year of October 1, 1994, whichever is later.

7697 Sec. 168. Subdivisions (10) and (11) of section 5-198 of the general
7698 statutes are repealed and the following is substituted in lieu thereof
7699 (*Effective July 1, 2013*):

7700 (10) Executive assistants to each state elective officer and each
7701 department head, as defined in section 4-5, provided (A) each position
7702 of executive assistant shall have been created in accordance with
7703 section 5-214, and (B) in no event shall the Secretary of the Office of
7704 Policy and Management approve more than five executive assistants
7705 for a department head;

7706 (11) One personal secretary to the administrative head and to each
7707 undersecretary or deputy to such head of each department or
7708 institution; [provided any classified employee whose position is
7709 affected by this subsection shall retain classified status in such
7710 position;]

7711 Sec. 169. Subdivision (23) of section 5-198 of the general statutes is
7712 repealed and the following is substituted in lieu thereof (*Effective July*
7713 *1, 2013*):

7714 (23) Lieutenant colonels in the Division of State Police within the
7715 Department of Emergency Services and Public Protection; [appointed
7716 on or after June 6, 1990;]

7717 Sec. 170. Section 5-199d of the general statutes is repealed and the
7718 following is substituted in lieu thereof (*Effective July 1, 2013*):

7719 The [Department of Administrative Services] Office of Policy and
7720 Management or any other state agency which seeks to contract for
7721 training for their employees shall, prior to entering into a contract,
7722 contact the president of the Board of Regents for Higher Education, or
7723 said president's designee, to determine if an appropriate training
7724 program exists or can be designed at a regional community-technical
7725 college. Nothing in this section shall preclude an agency from
7726 considering or choosing other providers to meet such training need.

7727 Sec. 171. Section 5-200 of the general statutes is repealed and the
7728 following is substituted in lieu thereof (*Effective July 1, 2013*):

7729 (a) The [Commissioner of Administrative Services] Secretary of the
7730 Office of Policy and Management or his authorized agent shall
7731 administer centralized and decentralized selection programs that will
7732 identify those applicants most qualified for appointment to or
7733 promotion in the state classified service, and establish candidate and
7734 reemployment lists for the various classes of positions within
7735 occupational groups and career progression levels. Upon a request
7736 from any appointing authority or indication of the need for additional
7737 employees, as evidenced by the presence of a temporary or provisional
7738 employee or by a request for certification of a temporary employee in
7739 any class, the [commissioner] secretary or his or her designee shall
7740 certify the names of persons eligible for employment or reemployment.
7741 The [commissioner] secretary shall: (1) Install and administer service-
7742 rating systems; (2) devise plans for, and cooperate with, appointing
7743 authorities and other supervising officials in the conduct of employee
7744 training programs to the end that the quality of service rendered by
7745 persons in the classified service may be continually improved; (3)
7746 conduct research into methods of selection, service ratings and other
7747 problems of personnel administration; (4) arrange for and, in
7748 cooperation with appointing authorities, effect transfers; (5) cooperate
7749 with appointing authorities in employee recruitment programs; (6)
7750 administer annual sick and special leaves of absence and hours of
7751 work and attendance in accordance with the provisions of this chapter
7752 and any regulations relating thereto; (7) establish personnel standards,
7753 governing promotions, classifications, reclassifications and the creation
7754 of positions, that will provide guidance to all agencies in matters of
7755 personnel management and serve as a means to evaluate agency
7756 performance in conducting personnel management; and (8) see that all
7757 appointments, promotions, layoffs, demotions, suspensions, removals
7758 and retirements are made in accordance with the applicable provisions
7759 of the general statutes and regulations issued pursuant thereto. The

7760 [commissioner] secretary may fully or partially delegate the
7761 responsibilities set forth in this subsection to the heads of state
7762 agencies or their authorized agents, subject to audit, in order to
7763 improve human resource management.

7764 (b) The [commissioner] secretary shall review position
7765 classifications in accordance with subsection (c) of section 5-206.

7766 (c) The [commissioner] secretary shall cause to be kept for the
7767 classified service suitable records of (1) regulations adopted under this
7768 chapter, (2) classifications of positions, occupational groups, career
7769 progression levels and schedules of compensation provided for under
7770 this chapter, (3) standards for examining qualifications and measuring
7771 service, (4) examinations conducted and candidate and reemployment
7772 lists established, and (5) provisional and temporary appointments and
7773 other official acts.

7774 (d) The [commissioner] secretary shall prescribe procedures for
7775 reports to be submitted to him.

7776 (e) The [commissioner] secretary shall establish and maintain a
7777 complete roster of the employees and officers in the state service,
7778 whether under the classified service or not, showing for each such
7779 employee the title of the position held, his or her departmental, agency
7780 or institution assignment, rate of compensation, date of appointment
7781 and each change in his or her status, including any increase and
7782 decrease in pay, change in title, transfers or other facts which the
7783 [commissioner] secretary considers desirable and pertinent.

7784 (f) The [commissioner] secretary shall prescribe reasonable
7785 conditions and procedures under which the records of the
7786 [Department of Administrative Services] Office of Policy and
7787 Management shall be open to public inspection during usual business
7788 hours, except as provided in section 5-225. [He] The secretary shall
7789 take all due precautions to prevent the securing in advance by any
7790 unauthorized person of any material to be used in any examination

7791 under this chapter, unless such material is available for all applicants.
7792 Statements of the former employers of applicants shall be considered
7793 confidential and shall not be open to inspection by any person.

7794 (g) The [commissioner] secretary and his or her agents shall have
7795 free access to premises and records under the control of all officers,
7796 appointing authorities and other state employees during usual
7797 business hours and shall be furnished such facilities, assistance and
7798 information as [he] the secretary and [his] the secretary's agents
7799 require in carrying out their functions. This subsection shall not apply
7800 to the medical records of state employees, unless the employee gives
7801 his or her consent or unless the information sought is necessary to
7802 assure adjudication of any responsibility on the part of the state or
7803 unless medical interpretations of preemployment and other
7804 examinations are requested by the [commissioner] secretary.

7805 (h) (1) The [commissioner] secretary shall, after completion of all
7806 established preliminary procedures necessary to prepare new and
7807 revised regulations, print and provide current and complete personnel
7808 regulations to all state agencies and to recognized state employee
7809 organizations. (2) New and revised regulations prepared as the result
7810 of legislative changes or development of new policies shall be
7811 processed in accordance with established procedures within a period
7812 of time not less than six months from their effective date and
7813 distributed in the same manner.

7814 (i) The [commissioner] secretary may designate any two or more of
7815 his or her staff to serve as a hearing panel with respect to any matter
7816 before the [commissioner] secretary. The [commissioner] secretary and
7817 any hearing panel shall have the power to make investigations,
7818 inquiries and hold hearings. Any such panel shall report and may
7819 submit recommendations to the [commissioner] secretary but shall
7820 have no other power except as otherwise specified in this chapter.

7821 (j) The [commissioner shall issue] secretary shall adopt, in

7822 accordance with the provisions of chapter 54, such regulations as [he]
7823 the secretary may find necessary or appropriate for the administration
7824 of personnel pursuant to the provisions of this chapter.

7825 (k) The [commissioner shall, subject to the approval of the Secretary
7826 of the Office of Policy and Management,] secretary shall establish
7827 compensation schedules or plans pertaining to all state employees
7828 except employees of the Judicial and Legislative Departments and
7829 employees whose compensation is prescribed by statute. The
7830 [commissioner] secretary shall prescribe higher compensation for work
7831 performed under less desirable conditions or at less desirable hours.

7832 (l) The [commissioner] secretary shall establish classes of positions,
7833 occupational groups and career progression levels for all state
7834 employees holding positions in the classified service.

7835 (m) The [commissioner] secretary shall maintain current
7836 compensation schedules pertaining to all employees specified in
7837 subsection (k) of this section and a comprehensive plan of position
7838 classifications pertaining to all employees specified in subsection (l) of
7839 this section.

7840 (n) Any interested employee or his representative or any appointing
7841 authority may submit to the [commissioner] secretary written data,
7842 views or arguments or a request for a hearing in regard to specified
7843 position classifications or allocation of a class of positions to the
7844 compensation schedule. Within two months after the [commissioner]
7845 secretary shall have received such data, views or arguments or shall
7846 have held any requested hearing, [he] the secretary shall forward to
7847 such employee, representative or appointing authority his or her
7848 written decision thereon, together with all written materials submitted
7849 to [him] the secretary by the interested employee or his or her
7850 representative and such other information as [he] the secretary
7851 considers appropriate.

7852 (o) The [commissioner] secretary may at any time establish, abolish,

7853 divide or combine classes of positions and allocation of classes of
7854 positions to the compensation schedule. [Any such action having a
7855 fiscal impact must be approved by the Secretary of the Office of Policy
7856 and Management. The commissioner] The secretary may at any time [,
7857 subject to the approval of the Secretary of the Office of Policy and
7858 Management,] amend or repeal any portion of any compensation
7859 schedule. The [commissioner] secretary need not conduct any
7860 investigation or hearing prior to any such action.

7861 (p) When such authority is not otherwise conferred by statute, the
7862 [commissioner] secretary may issue orders to provide that (1)
7863 executive or judicial [branch] department employees exempt from the
7864 classified service or not included in any prevailing bargaining unit
7865 contract, except unclassified employees of any board of trustees of the
7866 constituent units of higher education, be granted rights and benefits
7867 not less than those granted to employees in the classified service or
7868 covered under such contracts, or (2) retirement benefits for state
7869 employees exempt from the classified service or not included in any
7870 prevailing bargaining unit contract [and employees of state-aided
7871 institutions, as defined in section 5-175,] be adjusted to provide
7872 retirement benefits for such employees which are the same as those
7873 most frequently provided under the terms of approved bargaining unit
7874 contracts in effect at the time of such adjustment. When such authority
7875 is not otherwise conferred by statute, the board of trustees of any
7876 constituent unit of the state system of higher education may issue
7877 orders to provide that the unclassified employees of such board be
7878 granted rights and benefits not less than those granted to employees of
7879 the board who are covered under a prevailing bargaining unit contract.
7880 Where there is a conflict between an order granting such rights and
7881 benefits and any provision of the general statutes, such order shall
7882 prevail. Such orders shall be subject to the approval of the Secretary of
7883 the Office of Policy and Management. If the secretary approves such
7884 order, and such order is in conflict with any provision of the general
7885 statutes, the secretary shall forward a copy of such order to the joint

7886 committee of the General Assembly having cognizance of labor
7887 matters.

7888 (q) Commencing November 1, 1989, elected officials and employees
7889 in the legislative [branch] department and elected officials in the
7890 executive [branch] department shall be granted rights and benefits
7891 equal to those granted to employees in the classified service covered
7892 under a prevailing collective bargaining agreement negotiated in
7893 accordance with subdivision (1) of subsection (f) of section 5-278.

7894 (r) When requested by the appropriate appointing authority, the
7895 [commissioner] secretary shall establish classes of positions for
7896 employees holding positions in the unclassified service and shall
7897 establish compensation schedules pertaining to employees of the
7898 Judicial and Legislative Departments. [, subject to the approval of the
7899 Secretary of the Office of Policy and Management.]

7900 [(s) The commissioner and any municipality or other political
7901 subdivision of the state may enter into an agreement whereby the
7902 Department of Administrative Services shall provide such personnel
7903 administration services as may be requested by such municipality or
7904 political subdivision. Such agreement shall provide for the payment by
7905 such municipality or political subdivision, to the commissioner, of
7906 expenses incurred in the provision of such personnel services. All
7907 payments received by the commissioner pursuant to this section shall
7908 be deposited in the General Fund and credited to the appropriations of
7909 the Department of Administrative Services in accordance with the
7910 provisions of section 4-86.]

7911 [(t) Notwithstanding the provisions of this chapter, any] (s) Any
7912 matters involving collective bargaining shall be the responsibility of
7913 the Secretary of the Office of Policy and Management.

7914 Sec. 172. Section 5-200a of the general statutes is repealed and the
7915 following is substituted in lieu thereof (*Effective July 1, 2013*):

7916 (a) The [Commissioner of Administrative Services, with the
7917 assistance of a consultant and project coordinator as required, and
7918 utilizing such studies as may be available to said commissioner, shall
7919 adopt and implement a system for evaluating] Secretary of the Office
7920 of Policy and Management shall evaluate classifications in state service
7921 on a periodic basis of not less than five years to determine if the
7922 classification is in the appropriate compensation plan based upon
7923 appropriate and reasonably objective job-related criteria, excluding
7924 classes covered by section 5-198. [Based on the two-phase
7925 recommendation of the pilot study produced pursuant to the mandate
7926 of special act 79-72, the Department of Administrative Services shall, as
7927 necessary, review and make appropriate revisions to the classification
7928 system for all jobs within all job families in state employment which
7929 are subject to evaluation, and shall evaluate such classifications in state
7930 service on the basis of objective job-related criteria and in conformance
7931 with procedures and techniques recommended by the commissioner.]
7932 Said objective, job-related criteria shall include but not be limited to:
7933 (1) Knowledge and skill required to carry out the duties of the
7934 position, (2) effort, both mental and physical, and (3) accountability.
7935 Evaluation committees which are representative of management and
7936 employees in the occupations being evaluated shall be formed for the
7937 purposes of this section. [Utilizing the job evaluation system, the
7938 commissioner shall determine ratings for jobs through assignment of
7939 factor values and shall, on January 1, 1982, and each January first
7940 thereafter, make a progress report and report all findings, including
7941 comparative job ratings, to the cochairpersons of the joint standing
7942 committee of the General Assembly having cognizance of matters
7943 relating to labor and public employees. An advisory committee
7944 representing various interested parties shall advise the Department of
7945 Administrative Services in performing this work.] No modification of
7946 compensation shall be required by such ratings. Ratings may be a
7947 consideration in setting salaries, subject to the provisions of chapter 68
7948 for classes included under collective bargaining. [The job evaluation
7949 process shall include system selection, testing and training of raters.

7950 During the fiscal year ending June 30, 1982, up to seven hundred
7951 classes shall be evaluated, including those classes studied pursuant to
7952 special act 79-72 and this section, as in effect prior to July 1, 1981, and
7953 such other classes as may provide a representative sample of the
7954 classifications in state service. The commissioner shall report the
7955 preliminary findings with regard to such a sample by March 1, 1982, to
7956 the cochairpersons of the joint standing committee of the General
7957 Assembly having cognizance of matters relating to labor and public
7958 employees. In each succeeding year the commissioner shall, within
7959 available appropriations, evaluate up to seven hundred classes a year
7960 and report the findings of such evaluation to the cochairpersons of said
7961 committee.]

7962 (b) [The Commissioner of Administrative Services, with the
7963 assistance of a consultant and project coordinator as required, and
7964 utilizing such studies as may be available to the commissioner, shall
7965 adopt and implement a system for a full classification and job
7966 evaluation study of all unclassified positions in state service, as
7967 described in section 5-198, currently held or to be held by employees in
7968 collective bargaining units.] The Secretary of the Office of Policy and
7969 Management shall evaluate on a periodic basis of not less than five
7970 years classifications of all unclassified positions in state service, as
7971 described in section 5-198, currently held or to be held by employees in
7972 collective bargaining units, to determine if the classification is in the
7973 appropriate compensation plan based upon appropriate and
7974 reasonably objective job-related criteria. The [commissioner] secretary
7975 shall conduct such evaluations in accordance with the provisions of
7976 subsection (a) of this section.

7977 [(c) Notwithstanding the provisions of subsection (b) of this section,
7978 (1) studies of unclassified employees conducted as negotiated under
7979 collective bargaining agreements shall be implemented and funded in
7980 conjunction with studies completed under subsection (a) of this
7981 section, and (2) on or before August 1, 1987, any exclusive bargaining
7982 representative may notify the commissioner, in writing, of those

7983 unclassified positions in the particular bargaining unit which shall be
7984 excluded from the study conducted pursuant to subsection (b) of this
7985 section.]

7986 ~~[(d)]~~ (c) Any unclassified position may be excluded from the study
7987 conducted pursuant to subsection (b) of this section if ~~[(1) the inclusion~~
7988 ~~of such position in the study is not deemed to be feasible by the~~
7989 ~~feasibility study mandated by special act 86-51 and (2)]~~ the
7990 ~~[commissioner]~~ secretary and the exclusive bargaining representative
7991 mutually agree to exclude such position.

7992 Sec. 173. Section 5-200b of the general statutes is repealed and the
7993 following is substituted in lieu thereof (*Effective July 1, 2013*):

7994 Any state employee who is being reclassified upward to a
7995 competitive or noncompetitive class in state service may be allocated
7996 to the higher classification without examination by the ~~[Commissioner~~
7997 ~~of Administrative Services]~~ Secretary of the Office of Policy and
7998 Management if the reclassification results from a survey of all
7999 positions in a class, an occupational ~~[series]~~ group or all classes of a
8000 bargaining unit and the employee possesses the minimum experience
8001 and training requirements for the new class and has permanent status
8002 in the present class.

8003 Sec. 174. Section 5-200c of the general statutes is repealed and the
8004 following is substituted in lieu thereof (*Effective July 1, 2013*):

8005 ~~[(a) Commencing with the fiscal year ending June 30, 1988, and]~~
8006 Pursuant to the agreement in effect on July 1, 2013, between the state
8007 and the State Employee Bargaining Agent Coalition, entered into
8008 pursuant to collective bargaining, wage inequities have been
8009 eliminated. The Secretary of the Office of Policy and Management shall
8010 take into account any further wage inequities identified as part of the
8011 five year review process in accordance with section 5-200a, as
8012 amended by this act. In each fiscal year, [thereafter,] upon the request
8013 of the secretary, the General Assembly shall appropriate sufficient

8014 funds to the reserve for salary adjustments account in the annual
8015 appropriations act for such fiscal year to be designated for use in
8016 [eliminating inequities, including sex-based inequities, within and
8017 between all job families in the wages paid] modifications to the
8018 compensation plan for state service, as identified by the findings of (1)
8019 the objective job evaluation process conducted by the [Commissioner
8020 of Administrative Services] Secretary of the Office of Policy and
8021 Management pursuant to section 5-200a, as amended by this act, [(2)
8022 objective job evaluation studies of unclassified employees, and (3)] and
8023 (2) other studies negotiated under collective bargaining agreements.
8024 Inequities shall not be eliminated through the downgrading of any job
8025 classification or salaries. [Extraordinary variations in compensation in
8026 relation to point values assigned by such studies shall not necessarily
8027 be used as a basis for upgradings of any job classifications or salaries
8028 and shall be a subject for collective bargaining. Such funds shall be
8029 distributed in a manner to be determined by collective bargaining. All
8030 such wage inequities shall be eliminated by July 1, 1995.]

8031 [(b) Upon the completion of the studies referred to in subdivisions
8032 (2) and (3) of subsection (a) of this section and the implementation of
8033 the results of such studies, collective bargaining negotiations
8034 concerning wage changes as a result of objective job evaluations shall
8035 commence not later than April 1, 1993. Notwithstanding the provisions
8036 of subsection (a) of section 5-278, such negotiations shall be conducted
8037 between the employer, as defined in subsection (a) of section 5-270,
8038 and a coalition committee which represents all state employees who
8039 are members of any designated employee organization. The results of
8040 any such negotiations shall be implemented as of July 1, 1995. All wage
8041 inequities shall be deemed to have been eliminated upon the
8042 implementation of such results. Nothing in this subsection shall be
8043 deemed to affect any appeal related to any objective job evaluation
8044 studies previously taken or allowed or any litigation pending on June
8045 25, 1991, or to prohibit the continued use of a point factor value system
8046 for the evaluation of newly created job classifications.]

8047 Sec. 175. Section 5-201 of the general statutes is repealed and the
8048 following is substituted in lieu thereof (*Effective July 1, 2013*):

8049 (a) There shall be an Employees' Review Board consisting of seven
8050 members, at least one of whom shall be an attorney with experience in
8051 administrative or labor law. [Each member first appointed on or after
8052 July 1, 1987, shall have substantial current experience as an impartial
8053 arbitrator of labor-management disputes. On or after January 1, 1980,
8054 the Governor shall appoint five persons to serve as members of the
8055 board for terms of three years from January 1, 1980, or until their
8056 successors are appointed. On or after January 1, 1983, and
8057 quadrennially thereafter, the Governor shall appoint five persons to
8058 serve as members of the board for terms of four years from the first
8059 day of January preceding such appointment or until their successors
8060 are appointed.] On or after July 1, 1987, and quadrennially thereafter,
8061 the Governor shall appoint two persons to serve as members of the
8062 board for terms of four years from the first day of July preceding such
8063 appointment or until their successors are appointed. No member shall
8064 serve more than two consecutive terms. No member of the board shall
8065 be an employee of the state. The Governor shall designate one member
8066 of the board to serve as chairperson. The Governor shall fill any
8067 vacancy in the membership of the board for the unexpired portion of a
8068 term and may remove any member as provided in section 4-12. Each
8069 member of the board shall be paid at the prevailing rate as approved
8070 by the [Commissioner of Administrative Services and the] Secretary of
8071 the Office of Policy and Management for each day of service in lieu of
8072 expenses and shall hold office until a successor is appointed. A
8073 quorum of the board shall consist of three members. The board shall be
8074 within the Department of [Administrative Services] Labor for
8075 administrative purposes only.

8076 (b) The board shall hear and act upon appeals filed with it in
8077 accordance with section 5-202. The board, or any three of its members
8078 designated by the board, may serve as a hearing panel and render a
8079 decision. The board or hearing panel shall have the power to

8080 administer oaths and affirmations, certify to all official acts, issue
8081 subpoenas and compel the attendance and testimony of witnesses and
8082 the production of records, papers and documents and to make
8083 investigations and hold hearings concerning any appeal presented to
8084 the board in accordance with this chapter or regulations issued
8085 pursuant thereto. Hearings shall be open to the public except that a
8086 hearing panel may conduct a closed hearing upon request of the
8087 aggrieved employee. The board shall adopt as a regulation, in
8088 accordance with the provisions of chapter 54, rules of procedure for
8089 hearings.

8090 Sec. 176. Section 5-202 of the general statutes is repealed and the
8091 following is substituted in lieu thereof (*Effective July 1, 2013*):

8092 (a) Any employee who is not included in any collective bargaining
8093 unit of state employees and who has achieved a permanent
8094 appointment as defined in [subdivision (19) of] section 5-196, as
8095 amended by this act, may appeal to the Employees' Review Board if
8096 such employee receives an unsatisfactory performance evaluation or is
8097 demoted, suspended or dismissed, or is aggrieved as a result of
8098 [alleged discrimination, or unsafe or unhealthy working conditions or
8099 violations involving the interpretation and] the application of a specific
8100 state personnel statute [,] or regulation. [or rule.] Such employee must
8101 have complied with preliminary review procedures, except as
8102 otherwise provided in subsection (l) of this section. Such an appeal
8103 shall be submitted to the board not later than thirty days from the
8104 completion of the final level of the preliminary review procedure,
8105 provided the first level of the procedure shall have been initiated no
8106 later than thirty calendar days from the date of the alleged violation,
8107 except that in cases of dismissal, demotion or suspension the grievance
8108 must be submitted directly to the third level of the procedure and shall
8109 have been initiated no later than thirty calendar days from the effective
8110 date of such action.

8111 [(b) Any group of employees that is not included in any collective

8112 bargaining unit of state employees may file an appeal as a group
8113 directly with the Employees' Review Board if such group of employees
8114 is laid off or dismissed, or is aggrieved as a result of alleged
8115 discrimination, or unsafe or unhealthy working conditions or
8116 violations involving the interpretation and application of a specific
8117 state personnel statute, regulation or rule, provided each member of
8118 such group (1) is appealing the same or a similar issue, as determined
8119 by the Employees' Review Board, (2) is a permanent employee, as
8120 defined in subdivision (20) of section 5-196, and (3) has achieved a
8121 permanent appointment, as defined in subdivision (19) of section 5-
8122 196. Such an appeal shall be submitted to the board not later than
8123 thirty calendar days from the specific incident or effective date of
8124 action giving rise to such appeal.]

8125 (b) Any time limit contained in subsection (a) and subsections (c) to
8126 (m), inclusive, of this section may be waived by mutual written
8127 agreement of the employee or the employee's designated
8128 representative and the Secretary of the Office of Policy and
8129 Management or the secretary's designee.

8130 (c) Upon receiving an appeal, the board shall assign a time and
8131 place for a hearing and shall give notice of such time and place to the
8132 parties concerned. The hearing panel shall not be bound by technical
8133 rules of evidence prevailing in the courts. If, after hearing, a majority of
8134 the hearing panel determines that the action appealed from was
8135 arbitrary or taken without reasonable cause, the appeal shall be
8136 sustained; otherwise, the appeal shall be denied. The hearing panel
8137 shall have the power to direct appropriate remedial action and shall do
8138 so after taking into consideration just and equitable relief to the
8139 employee [or group of employees] and the best interests and
8140 effectiveness of the state service. The hearing panel shall render a
8141 decision not later than sixty calendar days from the date of the
8142 conclusion of the hearing.

8143 (d) The employee [or group of employees] in any such case shall be

8144 furnished, upon request, with a copy of the transcript of the
8145 proceedings before the board. The chairman of the board shall
8146 establish a fair and reasonable fee per page to be charged for such
8147 transcript which fee shall not exceed the fee per page for a transcript
8148 charged by court reporters for the judicial district of Hartford.

8149 (e) Not later than ten days from the issuance date of a decision by a
8150 hearing panel sustaining an appeal, the appointing authority of the
8151 employee shall take such measures as are necessary to comply with the
8152 remedial action directed by the hearing panel.

8153 (f) An employee [or group of employees] laid off or dismissed by
8154 reason of economy, lack of work, insufficient appropriation, change in
8155 departmental organization or abolition of position may file an appeal
8156 with the board only on the grounds that the order of layoff or
8157 dismissal has not been determined in accordance with the provisions
8158 of section 5-241, provided [(1)] such employee has initiated the third
8159 level of the preliminary review procedure not later than thirty calendar
8160 days from the effective date of such layoff or dismissal. [, or (2) such
8161 group of employees submits such appeal to the board not later than
8162 thirty calendar days from the effective date of the layoff or dismissal.]

8163 (g) All matters involving examination, including application
8164 rejection, type of examination or results, compensation for class or
8165 classes, establishment of a new class or classes, classification of a
8166 position, occupational group or career progression level, compliance
8167 with health and safety standards and the Connecticut Occupational
8168 Safety and Health Act or alleged discrimination in cases where an
8169 appeal has been filed with the Commission on Human Rights and
8170 Opportunities, shall not be appealable under this section.

8171 (h) The first level of the preliminary review procedure preparatory
8172 to the filing of an appeal from an alleged grievable action under
8173 subsection (a) of this section other than dismissal, demotion or
8174 suspension shall be the aggrieved employee's supervisor or

8175 department chief or other employee as designated by the employee's
8176 appointing authority. Such aggrieved employee shall present the
8177 employee's grievance in writing on a form developed by the Secretary
8178 of the Office of Policy and Management and the Employee Review
8179 Board which form shall contain a statement of the date the alleged
8180 violation occurred and the relief sought in answer to the grievance.
8181 The first level designee shall give said designee's answer to such
8182 employee not later than seven calendar days from the date the
8183 grievance is submitted to said designee or not later than seven days
8184 from the date of a meeting convened for the purpose of reviewing the
8185 grievance, in which case such meeting shall be convened not later than
8186 seven calendar days from the date the grievance is submitted.

8187 (i) The second level of the preliminary review procedure
8188 preparatory to the filing of an appeal from an alleged grievable action
8189 under subsection (a) of this section other than dismissal, demotion or
8190 suspension shall be the aggrieved employee's appointing authority or
8191 designated representative. Such employee, upon receiving a response
8192 at the first level which the employee deems to be unsatisfactory, may
8193 proceed to this level by presenting the same form containing the first
8194 level answers not later than seven calendar days from the date the
8195 answer was given at the first level. The appointing authority or
8196 designated representative shall answer such employee not later than
8197 seven calendar days from the date the grievance is received or not later
8198 than seven calendar days from the date of a meeting convened for the
8199 purpose of reviewing such grievance, in which case such meeting shall
8200 be convened not later than seven calendar days from the date such
8201 grievance is received.

8202 (j) The third level of the preliminary review procedure preparatory
8203 to the filing of an appeal from an alleged grievable action under
8204 subsection (a) of this section including dismissal, demotion or
8205 suspension shall be the Secretary of the Office of Policy and
8206 Management or the secretary's designated representative. The
8207 employee, upon receiving a response at the second level which the

8208 employee deems to be unsatisfactory, may proceed to this level by
8209 presenting the same form containing the first and second level answers
8210 not later than seven calendar days from the date the answer was given
8211 at the second level, except in the case of a dismissal, demotion or
8212 suspension in which case such employee must present the form,
8213 completed but without answers at lower levels not later than thirty
8214 calendar days from the effective date of such action. The Secretary of
8215 the Office of Policy and Management or the secretary's designated
8216 representative shall reply to such employee not later than thirty
8217 calendar days from the date such grievance is received or not later
8218 than fifteen calendar days from the date of a meeting convened for the
8219 purpose of reviewing such grievance, in which case such meeting shall
8220 be convened not later than thirty calendar days from the date such
8221 grievance is received.

8222 (k) Employees shall be entitled to have representation of their own
8223 choosing at any or all levels of the review or appeal procedure. No
8224 verbatim records shall be required in the preliminary procedure and
8225 no oaths or affirmations shall be administered.

8226 (l) Any state officer or employee, as defined in section 4-141, or any
8227 appointing authority shall not take or threaten to take any personnel
8228 action against any state employee [or group of state employees] in
8229 retaliation for the filing of an appeal with the Employees' Review
8230 Board or a grievance with any level of the preliminary review
8231 procedure pursuant to this section. An employee [or group of
8232 employees] alleging that such action has been threatened or taken may
8233 file an appeal directly with the board not later than thirty days from
8234 knowledge of the specific incident giving rise to such claim.

8235 (m) Either the Secretary of the Office of Policy and Management or
8236 any employee [or group of employees] aggrieved by a decision of the
8237 Employees' Review Board may appeal from such decision in
8238 accordance with section 4-183. The board may intervene as a party in
8239 any appeal of its decision. [Any employee or group of employees who

8240 prevails in a decision of the Employees' Review Board shall be entitled
8241 to recover court costs and reasonable attorney's fees if such decision is
8242 appealed by the Secretary of the Office of Policy and Management and
8243 affirmed by the court in such appeal.]

8244 Sec. 177. Section 5-203 of the general statutes is repealed and the
8245 following is substituted in lieu thereof (*Effective July 1, 2013*):

8246 Each appointment, transfer, promotion, demotion, dismissal,
8247 vacancy, change of salary rate, leave of absence, absence from duty or
8248 other temporary or permanent change in the status of any employee in
8249 the classified service shall be reported to the [Commissioner of
8250 Administrative Services] Secretary of the Office of Policy and
8251 Management at such time, in such form and together with such
8252 supporting or other pertinent information as [he] the secretary
8253 prescribes.

8254 Sec. 178. Section 5-204 of the general statutes is repealed and the
8255 following is substituted in lieu thereof (*Effective July 1, 2013*):

8256 The [Commissioner of Administrative Services] Secretary of the
8257 Office of Policy and Management shall compile currently and submit a
8258 report to the Governor, as provided in section 4-60, giving information
8259 as to the number of state employees, the number of employees in the
8260 classified service, salary expenditures, employee turnover and any
8261 other matters pertinent to personnel administration.

8262 Sec. 179. Section 5-206 of the general statutes is repealed and the
8263 following is substituted in lieu thereof (*Effective July 1, 2013*):

8264 (a) Position classifications established by the [Commissioner of
8265 Administrative Services] Secretary of the Office of Policy and
8266 Management shall be listed in the appropriate records and
8267 publications of the [Department of Administrative Services] Office of
8268 Policy and Management in accordance with the following descriptive
8269 items: (1) The title and code given to the class; (2) the pay grade for the

8270 class; (3) a statement of the duties and responsibilities exercised by
8271 those employees holding positions allocated to the class, illustrated,
8272 when practicable, by examples of typical tasks; and (4) the minimum
8273 desirable qualifications required by an incumbent for the satisfactory
8274 performance of such duties and the satisfactory discharge of such
8275 responsibilities.

8276 (b) In establishing new position classifications, the [Commissioner
8277 of Administrative Services] Secretary of the Office of Policy and
8278 Management shall make a study of the schedules of compensation
8279 established for positions similar as to duties, responsibilities and
8280 qualifications in the state service, of the rates of compensation paid for
8281 similar services elsewhere and of any other pertinent information and
8282 data.

8283 (c) The [Commissioner of Administrative Services] Secretary of the
8284 Office of Policy and Management periodically shall review the work
8285 performed by employees in the classified service and shall issue such
8286 orders as are necessary to have such employees assigned to work in
8287 accordance with the classifications of their positions or to have their
8288 classifications changed to comply with their work, provided any
8289 employee, whose classification, status or compensation is affected,
8290 shall be given reasonable opportunity to be heard prior to the issuance
8291 of any such order.

8292 (d) In no event shall the personnel classification of "auditor" be used
8293 in reference to personnel of any agency other than the Auditors of
8294 Public Accounts or the term "auditor's report" be used in reference to
8295 the reports of such personnel except that employees performing
8296 auditing functions for agencies other than the Auditors of Public
8297 Accounts may be so designated if the personnel classifications to
8298 which they are assigned are clearly distinguished from those of the
8299 Auditors of Public Accounts.

8300 Sec. 180. Section 5-206a of the general statutes is repealed and the

8301 following is substituted in lieu thereof (*Effective July 1, 2013*):

8302 The [Commissioner of Administrative Services] Secretary of the
8303 Office of Policy and Management shall establish a job classification
8304 series for marital and family therapists licensed under chapter 383a
8305 and professional counselors licensed under chapter 383c.

8306 Sec. 181. Section 5-207 of the general statutes is repealed and the
8307 following is substituted in lieu thereof (*Effective July 1, 2013*):

8308 The classification titles or codes of positions in the classified service
8309 shall be used in all records and communications of the Office of Policy
8310 and Management, [the Department of Administrative Services,] the
8311 State Comptroller and the State Treasurer, in all estimates submitted to
8312 the General Assembly or Office of Policy and Management requesting
8313 the appropriation of money to pay for personal services, in documents
8314 or accounts relating to allotments and in all vouchers or payrolls
8315 relating to obligations for personal services.

8316 Sec. 182. Section 5-208 of the general statutes is repealed and the
8317 following is substituted in lieu thereof (*Effective July 1, 2013*):

8318 (a) The [Commissioner of Administrative Services] Secretary of the
8319 Office of Policy and Management shall establish compensation
8320 schedules or plans. For employees who are not members of any
8321 collective bargaining unit, [subject to the approval of the Secretary of
8322 the Office of Policy and Management] such schedules or plans shall
8323 consist of sufficient salary grades to provide compensation rates
8324 determined to be necessary or desirable for all classes assigned to each
8325 compensation schedule.

8326 (b) When the compensation of a class is raised, the salary of each
8327 incumbent in such class who is not a member of any collective
8328 bargaining unit shall be increased by an amount at least equal to one
8329 step or five per cent, whichever is less, in the higher salary grade,
8330 except managerial employees' salaries shall be increased by an amount

8331 equal to five per cent, up to the maximum of the new salary grade.

8332 Sec. 183. Section 5-208a of the general statutes is repealed and the
8333 following is substituted in lieu thereof (*Effective July 1, 2013*):

8334 No state employee shall be compensated for services rendered to
8335 more than one state agency during a biweekly pay period unless the
8336 appointing authority of each agency or [his] a designee certifies that
8337 the duties performed are outside the responsibility of the agency of
8338 principal employment, that the hours worked at each agency are
8339 documented and reviewed to preclude duplicate payment and that no
8340 conflicts of interest exist between services performed. No state
8341 employee who holds multiple job assignments within the same state
8342 agency shall be compensated for services rendered to such agency
8343 during a biweekly pay period unless the appointing authority of such
8344 agency or his designee certifies that the duties performed are not in
8345 conflict with the employee's primary responsibility to the agency, that
8346 the hours worked on each assignment are documented and reviewed
8347 to preclude duplicate payment, and that there is no conflict of interest
8348 between the services performed. Any dual employment arrangement
8349 that results in the necessity to pay overtime shall be approved in
8350 advance by the Secretary of the Office of Policy and Management.

8351 Sec. 184. Section 5-209 of the general statutes is repealed and the
8352 following is substituted in lieu thereof (*Effective July 1, 2013*):

8353 Any state employee, except an employee who has been designated
8354 managerial, who is assigned, by the employee's appointing authority,
8355 duties and responsibilities of a job classification higher than the class in
8356 which the employee is placed, which assignment has been approved
8357 by the [Commissioner of Administrative Services] Secretary of the
8358 Office of Policy and Management, and who works in such assignment
8359 on a continuous basis for a period of more than sixty working days,
8360 shall be compensated for such time in excess of sixty days at a rate in
8361 the higher class which shall not be less than one step in that class

8362 above the employee's existing rate of pay. Service in a higher
8363 classification under this section shall not constitute permanent status
8364 in such class.

8365 Sec. 185. Section 5-209a of the general statutes is repealed and the
8366 following is substituted in lieu thereof (*Effective July 1, 2013*):

8367 [(a)] Any person who is employed in state service as a general
8368 worker for program support or technical services, as determined by
8369 the [Department of Administrative Services] Office of Policy and
8370 Management at the time of such employment, shall be credited with
8371 work experience equal to any time such person worked out of class
8372 performing work relevant to any full-time position in the state service
8373 for which such person subsequently applies. The amount of work
8374 experience for which such person is credited shall not be subject to
8375 appeal.

8376 [(b)] Any person who contests the amount of work experience for
8377 which such person is credited by a state agency pursuant to subsection
8378 (a) of this section shall be entitled to a hearing before a hearing officer
8379 of such agency. Such person may appeal any determination made by
8380 the hearing officer to the commissioner or other head of such agency.
8381 This subsection shall be governed by the provisions of chapter 54.]

8382 Sec. 186. Section 5-210 of the general statutes is repealed and the
8383 following is substituted in lieu thereof (*Effective July 1, 2013*):

8384 The [Commissioner of Administrative Services] Secretary of the
8385 Office of Policy and Management may establish one or more state
8386 incentive plans for employees whose positions have been designated
8387 managerial or confidential. Annual salary increases or lump-sum
8388 payments for employees whose positions have been designated
8389 managerial or confidential may be based on annual performance
8390 appraisals made by agency heads or their designees in accordance
8391 with state incentive plans approved by the [Commissioner of
8392 Administrative Services] Secretary of the Office of Policy and

8393 Management. Such salary increases shall be in accordance with the
8394 provisions of the compensation schedule then in effect. Such
8395 employees shall receive an increase for "good" performance up to the
8396 position rate.

8397 Sec. 187. Section 5-213 of the general statutes is repealed and the
8398 following is substituted in lieu thereof (*Effective July 1, 2013*):

8399 (a) Notwithstanding the provisions of section 5-212, each employee
8400 in the state service who has completed not less than ten years of state
8401 service and who is not included in any collective bargaining unit,
8402 except those employees whose compensation is prescribed by statute,
8403 shall receive a lump-sum longevity payment on the last regular pay
8404 day of April 2013, based on service completed as of the first day of
8405 September 2011, determined in accordance with the longevity rate
8406 schedule established for the employee's class of position by the
8407 [Commissioner of Administrative Services] Secretary of the Office of
8408 Policy and Management, except that a retired employee who retired
8409 between October 1, 2012, and March 31, 2013, inclusive, shall receive,
8410 in the month immediately following retirement, a prorated payment
8411 based on the proportion of the six-month period served prior to the
8412 effective date of the employee's retirement.

8413 (b) No longevity payment shall be made to any employee in the
8414 state service who is not included in any collective bargaining unit,
8415 except those employees whose compensation is prescribed by statute,
8416 for service completed on or after April 1, 2013.

8417 Sec. 188. Section 5-214 of the general statutes is repealed and the
8418 following is substituted in lieu thereof (*Effective July 1, 2013*):

8419 Except in emergencies, natural disasters or for the purpose of
8420 qualifying for federal funding, no new position shall be created and no
8421 vacancies shall be filled in the classified service until the Secretary of
8422 the Office of Policy and Management has certified to the appointing
8423 authority that the position is necessary for carrying on the work of the

8424 state in an efficient and business-like manner and any necessary
8425 appropriation therefor has been made. [The Secretary of the Office of
8426 Policy and Management may delegate his duties under this section to
8427 the Commissioner of Administrative Services.]

8428 Sec. 189. Section 5-215a of the general statutes is repealed and the
8429 following is substituted in lieu thereof (*Effective July 1, 2013*):

8430 When an appointing authority has received approval to fill a
8431 vacancy in any permanent position in the classified service, [is to be
8432 filled,] the appointing authority shall request the [Commissioner of
8433 Administrative Services] Secretary of the Office of Policy and
8434 Management to provide a candidate list. The candidate list certified by
8435 the [commissioner] secretary shall contain the final earned rating of
8436 each candidate. The appointing authority shall fill the vacant position
8437 by selecting any candidate on the candidate list. In the event that fewer
8438 than five names are available on the candidate list to fill a position, the
8439 [Commissioner of Administrative Services] Secretary of the Office of
8440 Policy and Management may authorize a new examination based on
8441 documented need. The appointing authority may fill the position from
8442 either the new or original candidate list in accordance with the
8443 provisions of this section.

8444 Sec. 190. Section 5-216 of the general statutes is repealed and the
8445 following is substituted in lieu thereof (*Effective July 1, 2013*):

8446 (a) The [Commissioner of Administrative Services] Secretary of the
8447 Office of Policy and Management shall hold examinations for the
8448 purpose of establishing candidate lists for the various classes of
8449 positions in the classified service, except as provided in section 5-227b.
8450 Such examinations may be held on a continuous basis or at such time
8451 or times as the [commissioner] secretary deems necessary to supply the
8452 needs of the state service. In establishing any candidate list following
8453 examinations, the [commissioner] secretary shall place on the list, in
8454 the order of their ratings, the names of persons who show they possess

8455 the qualifications which entitle them to be considered eligible for
8456 appointment when a vacancy occurs in any position allocated to the
8457 class for which such examination is held or for which such candidate
8458 list is held to be appropriate. Such ratings may take such form as the
8459 [commissioner] secretary deems appropriate to describe the
8460 performance of any candidate on any examination.

8461 (b) Where the needs of the service indicate that continuous
8462 recruitment is justified, the [commissioner] secretary may defer
8463 announcing a closing date for filing applications for the [necessary]
8464 examination. Announcements of such examinations shall specify that
8465 recruitment is continuous and that applications may be filed until
8466 further notice. Such examination may be graded on a pass-fail basis in
8467 order to expedite certification and appointment.

8468 (c) The [commissioner] secretary may consolidate, continue or
8469 cancel candidate lists and may remove names from such lists for good
8470 cause. The [commissioner] secretary may apply an examination score
8471 from one examination to the candidate list established for another
8472 examination, provided such examinations are the same or equivalent
8473 forms of the same examination, such provision is publicized on
8474 appropriate examination notices and the candidate satisfies all other
8475 statutory requirements.

8476 Sec. 191. Section 5-217 of the general statutes is repealed and the
8477 following is substituted in lieu thereof (*Effective July 1, 2013*):

8478 The [Commissioner of Administrative Services] Secretary of the
8479 Office of Policy and Management shall specify, at the time any
8480 candidate list is promulgated, the period during which such list shall
8481 remain in force, [. In no case shall a candidate list remain in force for a
8482 period of less than six months or more than one year, unless the period
8483 is extended by the commissioner for a period not to exceed an
8484 additional two years, except for candidate lists for continuous
8485 recruitment examinations, which may be extended by the

8486 commissioner for a period not to exceed five years] provided such
8487 period may be extended by the secretary as appropriate based upon
8488 the needs of the state.

8489 Sec. 192. Section 5-218 of the general statutes is repealed and the
8490 following is substituted in lieu thereof (*Effective July 1, 2013*):

8491 (a) [The Commissioner of Administrative Services] Except for an
8492 examination that has been waived pursuant to section 5-227b, the
8493 Secretary of the Office of Policy and Management shall prepare lists of
8494 preliminary requirements and subjects of examination for positions in
8495 the classified service and publicize each such examination in such
8496 manner as the nature of the examination requires, including posting
8497 examination notices in state agencies in locations accessible to state
8498 employees at least [two weeks] one week prior to the application
8499 closing date. All competitive examinations shall be held at such times
8500 and places as in the judgment of the [Commissioner of Administrative
8501 Services] Secretary of the Office of Policy and Management most
8502 nearly meet the convenience of applicants and needs of the service.

8503 (b) The [Commissioner of Administrative Services] Secretary of the
8504 Office of Policy and Management shall give public notice of such
8505 examinations for positions in the classified service at least two weeks
8506 in advance by posting, or causing to be posted, an appropriate notice
8507 on the bulletin board maintained in or near the quarters of the
8508 [Department of Administrative Services] Office of Policy and
8509 Management and on the Internet web site of the [department] office
8510 and by submitting the notice to the director of the state employment
8511 service. Such notice shall set forth [the time, place and general scope of
8512 the examination and shall contain appropriate information concerning
8513 the duties, work location, conditions, salary and requirements of the
8514 positions, and the examination procedures, including one arrangement
8515 of the weights to be given for the weighted parts of the examination if
8516 applicable, provided once such notice has been given, the weights
8517 established in the notice for the weighted parts of the examination

8518 shall not be altered in any manner] appropriate information
8519 concerning such examination.

8520 Sec. 193. Section 5-219 of the general statutes is repealed and the
8521 following is substituted in lieu thereof (*Effective July 1, 2013*):

8522 Examinations shall be in such form and of such character and shall
8523 relate to such matters as will fairly test and determine the
8524 qualifications, fitness and ability of the persons tested to perform the
8525 duties of the class or position to which they seek appointment.
8526 Examinations shall be formulated in cooperation with agencies
8527 appointing specific classes of employees and shall be competitive [,
8528 free and, except as otherwise expressly provided by statute,] and open
8529 to all persons who may be lawfully appointed to any position in the
8530 class for which examinations are held, with such limitations as to age,
8531 residence, health, habits, character, sex and qualifications as are
8532 considered desirable by the [Commissioner of Administrative Services]
8533 Secretary of the Office of Policy and Management and as are specified
8534 in the public announcement of the examination, provided no such
8535 limitation shall be made as to age or sex except in the case of a bona
8536 fide occupational qualification or need. Formal education requirements
8537 may be considered as a condition for the taking of such examinations.
8538 [Possession of a professional license or degree, or satisfactory
8539 completion of an accreditation, certificate or licensure program may
8540 serve as the sole basis for appointment, provided such credentials are a
8541 mandatory requirement for employment in a position.] Examinations
8542 may take the form of written or oral tests, demonstration of skill or
8543 physical ability, experience and training evaluation, or in the case of
8544 promotional examinations, evaluation of prior performance, or any
8545 other assessment device or technique deemed appropriate to measure
8546 the knowledge, skills or abilities required to successfully perform the
8547 duties of the job. All persons competing for placement on any one
8548 candidate list shall be administered the same or equivalent forms of
8549 the same examination or examination phases, except as necessary to
8550 comply with the federal Americans with Disabilities Act and section 4-

8551 61nn, and be required to achieve passing scores on each successive
8552 phase and for the examination as a whole in order to remain in
8553 competition. The provisions of this section shall be the sole
8554 determinant for qualification and no other examination shall be
8555 permitted by any agency head to further qualify persons seeking
8556 appointment except as authorized by the [commissioner] secretary.

8557 Sec. 194. Section 5-219a of the general statutes is repealed and the
8558 following is substituted in lieu thereof (*Effective July 1, 2013*):

8559 [(a)] It shall be the policy of all state agencies to consider volunteer
8560 experience as partial fulfillment of training and experience
8561 requirements for state employment. The [Commissioner of
8562 Administrative Services] Secretary of the Office of Policy and
8563 Management shall adopt regulations in accordance with the provisions
8564 of chapter 54 to implement such policy.

8565 [(b) Each state agency shall include an analysis of personnel hirings
8566 for the preceding year in its annual report to the Governor. Such report
8567 shall indicate the extent to which volunteer experience was taken into
8568 account in determining the qualifications of applicants for state
8569 employment.]

8570 Sec. 195. Section 5-220 of the general statutes is repealed and the
8571 following is substituted in lieu thereof (*Effective July 1, 2013*):

8572 (a) Examinations shall be conducted by the [Commissioner of
8573 Administrative Services] Secretary of the Office of Policy and
8574 Management or under his direction by an authorized agent. In giving
8575 examinations for positions in the classified service, the commissioner
8576 may obtain the assistance of persons not on the regular staff of the
8577 [Department of Administrative Services] Office of Policy and
8578 Management, either within or without the classified service. When
8579 such persons are in the state service, it shall be deemed a part of their
8580 official duty to act as examiners without extra compensation.

8581 (b) Notwithstanding any other provision of this chapter to the
8582 contrary, the [Commissioner of Administrative Services] Secretary of
8583 the Office of Policy and Management may fully or partially delegate to
8584 the heads of state agencies the authority to administer promotional
8585 programs for positions in state service subject to post audit by the
8586 [Department of Administrative Services] Office of Policy and
8587 Management. The delegation plan shall be approved by said
8588 [commissioner] secretary, shall provide for consideration of all eligible
8589 persons and shall include adequate notice of the vacancy or vacancies
8590 to all potentially eligible employees, the procedures for application
8591 and methods to be used to evaluate the qualifications of eligible
8592 persons.

8593 Sec. 196. Section 5-221 of the general statutes is repealed and the
8594 following is substituted in lieu thereof (*Effective July 1, 2013*):

8595 (a) The [Commissioner of Administrative Services] Secretary of the
8596 Office of Policy and Management may reject the application of any
8597 person for admission to an examination for establishing a candidate
8598 list for the classified service, or refuse to examine any applicant for
8599 such service, who (1) has been found to lack any of the established
8600 qualifications for the position for which [he] such applicant applies or
8601 for which [he] such applicant has been examined, [or who] (2) is
8602 physically or medically unfit to perform effectively the duties of the
8603 position in which he or she seeks employment, [or who] (3) is addicted
8604 to the habitual use of drugs or intoxicating liquors, [or who] (4) has
8605 been dismissed from the public service for delinquency, incompetency,
8606 misconduct or neglect of duty, or [who] (5) has made a false statement
8607 of any material fact or practiced or attempted to practice any deception
8608 or fraud in his or her application, in his or her examination or in
8609 securing his or her eligibility or appointment.

8610 (b) The [commissioner] secretary may establish reasonable
8611 procedures concerning investigation of the character, reputation,
8612 experience and training of applicants.

8613 Sec. 197. Section 5-221a of the general statutes is repealed and the
8614 following is substituted in lieu thereof (*Effective July 1, 2013*):

8615 [Within ten days of the receipt by an] An applicant for employment
8616 or an employee in the classified service [of a notice of rejection of his
8617 application for admission to an examination held for the purpose of
8618 establishing a candidate list for any position in the classified service,
8619 such applicant or employee] may appeal [such] the rejection of such
8620 applicant's or employee's application, in writing, to the [Commissioner
8621 of Administrative Services,] Secretary of the Office of Policy and
8622 Management not later than ten days of the mailing of such rejection
8623 notice by providing supplementary information on qualifications as
8624 may be necessary. [, and] Such applicant or employee may request a
8625 [hearing to] review of such rejection [. The commissioner shall appoint]
8626 by an independent human resource professional [to] who shall render
8627 a final decision on the applicant's or employee's appeal within thirty
8628 days thereafter.

8629 Sec. 198. Section 5-223 of the general statutes is repealed and the
8630 following is substituted in lieu thereof (*Effective July 1, 2013*):

8631 The final earned rating of each person who competes in and passes
8632 each phase of any examination shall be determined by the weighted
8633 average of the earned ratings on all phases of the examination,
8634 according to weights for each phase established by the [Commissioner
8635 of Administrative Services] Secretary of the Office of Policy and
8636 Management in advance of the giving of the examination and
8637 published as a part of the announcement of the examination.

8638 Sec. 199. Section 5-225 of the general statutes is repealed and the
8639 following is substituted in lieu thereof (*Effective July 1, 2013*):

8640 All persons competing in any examination shall be given written
8641 notice of their final earned ratings and the minimum earned rating
8642 necessary to pass the examination. [Within] Not later than thirty days
8643 [of receipt] after the issuance of the final earned rating, a person who

8644 has not achieved a passing rating may inspect his or her papers,
8645 markings, background profiles and other items used in determining
8646 the final earned ratings, other than examination questions and other
8647 materials constituting the examination, subject to such regulations as
8648 may be issued by the [Commissioner of Administrative Services]
8649 Secretary of the Office of Policy and Management. [Within thirty] Not
8650 later than ten days [of] after inspecting his or her papers, a person
8651 may, in writing, appeal to the [Commissioner of Administrative
8652 Services] Secretary of the Office of Policy and Management the
8653 accuracy of his or her final earned rating, as based on the original
8654 examination paper or responses. The [commissioner] secretary shall
8655 render a final decision on the person's appeal within thirty days
8656 thereafter and correct candidate lists as appropriate.

8657 Sec. 200. Section 5-227 of the general statutes is repealed and the
8658 following is substituted in lieu thereof (*Effective July 1, 2013*):

8659 No person in the classified service or seeking admission thereto may
8660 be appointed, demoted or dismissed or be in any way favored or
8661 discriminated against because of his or her political opinions or
8662 affiliations or as the result of a discriminatory employment practice as
8663 defined in section 46a-51. No question in any application,
8664 questionnaire, examination or other evaluation form used in
8665 connection with carrying out the provisions of this chapter may relate
8666 to political or religious opinions or affiliations of any applicant or
8667 eligible person on any candidate or reemployment list established and
8668 maintained by the [Commissioner of Administrative Services]
8669 Secretary of the Office of Policy and Management.

8670 Sec. 201. Section 5-227a of the general statutes is repealed and the
8671 following is substituted in lieu thereof (*Effective July 1, 2013*):

8672 Whenever an employee's position in the classified service is
8673 reclassified, the promotion of the employee shall be made without
8674 examination provided: (1) The employee meets the minimum

8675 qualifications established by the [Commissioner of Administrative
8676 Services] Secretary of the Office of Policy and Management for the
8677 career progression level of the reclassified position; (2) the employee
8678 has maintained an adequate performance record and has received a
8679 satisfactory appraisal on his or her two most recent consecutive
8680 performance evaluations; (3) the employee has worked at his or her
8681 existing level in his or her current position for a minimum period of six
8682 months; and (4) the reclassified position is approved by the
8683 [Commissioner of Administrative Services] Secretary of the Office of
8684 Policy and Management.

8685 Sec. 202. Section 5-227b of the general statutes is repealed and the
8686 following is substituted in lieu thereof (*Effective July 1, 2013*):

8687 [Whenever the number of applicants meeting the minimum
8688 qualifications for admission to an announced promotional examination
8689 is five or less, the Commissioner of Administrative Services may
8690 immediately certify as eligible for appointment the names of all such
8691 applicants to the appointing authority without further examination,
8692 provided such applicants have satisfactory service or performance
8693 ratings.]

8694 (a) Examinations for positions may be waived by the Secretary of
8695 the Office of Policy and Management under any of the following
8696 conditions: (1) Where the possession of a professional license, degree
8697 or satisfactory completion of an accreditation, certificate or licensure
8698 program is a mandatory requirement for appointment or promotion to
8699 a position in state service; (2) where the appointment or promotion to a
8700 job classification that is utilized by a single state agency, is limited in
8701 number and has few vacancies in the professional or managerial series;
8702 or (3) when the qualifications for a position within the managerial class
8703 are so specialized or unique that an examination for a generic job
8704 classification would not result in a list of candidates possessing such
8705 qualifications and would not be cost effective.

8706 (b) If the secretary has granted a waiver of examination in
8707 accordance with subsection (a) of this section, the secretary may
8708 delegate to a department head the authority to recruit for such
8709 position. A full or partial delegation may be granted to the department
8710 head under a delegation plan that shall be approved in advance by the
8711 secretary. Any such delegation plan shall (1) include standards for the
8712 posting of positions with a minimum time period of not less than one
8713 week; (2) specify the manner in which such notice shall be posted; and
8714 (3) specify the procedures for accepting and rejecting applicants for
8715 such waived examination based upon the minimum required
8716 qualifications. Where the department head has identified a candidate
8717 suitable for appointment and prior to making a formal or informal
8718 offer of employment, such department head shall submit the
8719 application, any supporting documentation for such candidate and the
8720 applications of such additional candidates such department head
8721 deems eligible for appointment to the secretary for certification that
8722 such preferred candidate has met the minimum qualifications of
8723 experience and training as set forth in the job specification. Once
8724 written certification is granted, the department head may make an
8725 offer of employment to the candidate certified by the secretary.

8726 (c) All recruitments performed by a department head pursuant to
8727 this section shall be subject to post audit by the secretary.
8728

8729 Sec. 203. Section 5-228 of the general statutes is repealed and the
8730 following is substituted in lieu thereof (*Effective July 1, 2013*):

8731 (a) When a vacancy in any permanent position in the classified
8732 service is to be filled, the appointing authority shall notify the
8733 [Commissioner of Administrative Services] Secretary of the Office of
8734 Policy and Management of such fact, stating the title of the position to
8735 be filled. Vacancies in such positions shall be filled, so far as
8736 practicable and for the best interest of the state, by reemployment, as
8737 provided in subsection (b) of section 5-241, promotional appointments

8738 from within the agency and service-wide promotional appointments or
8739 transfers in accordance with regulations issued by the [commissioner]
8740 secretary. The appointing authority, with the approval of the
8741 [commissioner] secretary, shall decide whether a vacancy shall be
8742 filled by promotion from within the agency, from a state-wide
8743 employment list, transfer or, if such is not practicable, by original
8744 appointment.

8745 (b) If a vacancy is to be filled by a promotional appointment from
8746 within the agency, the [commissioner] secretary shall certify to the
8747 appointing authority the names of all candidates from the agency in
8748 accordance with the provisions of section 5-215a, as amended by this
8749 act, or if an examination is waived, in accordance with provisions of
8750 section 5-227b, as amended by this act.

8751 (c) If a vacancy is to be filled by promotion from a service-wide
8752 candidate list, the [commissioner] secretary shall certify to the
8753 appointing authority the names of all candidates on that candidate list
8754 in accordance with the provisions of section 5-215a, as amended by
8755 this act, or if an examination is waived, in accordance with the
8756 provisions of section 5-227b, as amended by this act.

8757 (d) If a vacancy is to be filled by an original appointment, the
8758 [commissioner] secretary shall certify to the appointing authority the
8759 names of all candidates on that candidate list in accordance with the
8760 provisions of section 5-215a, as amended by this act, or if an
8761 examination is waived, in accordance with provisions of section 5-
8762 227b, as amended by this act.

8763 (e) Appointees to any position in the classified service shall be
8764 required to serve the working test period provided for in this chapter.
8765 Any promotional appointee from within the agency who is dismissed
8766 from the position to which he or she was promoted during such
8767 working test period, or at the conclusion thereof, shall be restored to a
8768 position in the same class in which he or she had been employed prior

8769 to his or her promotion, provided there is a vacancy in such position.
8770 Any other appointee who was employed in the classified service prior
8771 to his or her appointment and who is dismissed from the position to
8772 which he or she was appointed during such working test period or at
8773 the conclusion thereof, shall be restored to a vacancy in the same class,
8774 or a vacancy in a comparable class or a vacancy in any other position
8775 the employee is qualified to fill, in the agency in which he or she had
8776 been employed prior to his or her appointment, or shall have his or her
8777 name placed on a reemployment list. [No appointing authority who
8778 has removed such an employee as provided in this section may
8779 exercise such right of removal again with respect to any other
8780 employee in the same position within three calendar months after such
8781 original removal, except with the consent of the commissioner.] No
8782 provision of this section shall be construed to prevent any employee in
8783 the unclassified service from competing for positions in the classified
8784 service. [if he possesses the minimum qualifications established by the
8785 commissioner, except that no such employee shall be eligible to
8786 compete in a promotional examination unless he has previous
8787 permanent status in classified service.] In the certification of names of
8788 persons eligible for appointment, sex shall be disregarded except when
8789 otherwise provided by statute or upon request of the appointing
8790 authority, subject to the approval of the [commissioner] secretary.

8791 Sec. 204. Section 5-229 of the general statutes is repealed and the
8792 following is substituted in lieu thereof (*Effective July 1, 2013*):

8793 An appointing authority, upon receipt of a candidate list for any
8794 vacant position in the classified service or upon receiving the approval
8795 of the Secretary of the Office of Policy and Management in accordance
8796 with the provisions of section 5-227b, as amended by this act, shall
8797 appoint an eligible person from the list in accordance with the
8798 provisions of section 5-215a, as amended by this act, or 5-227b, as
8799 amended by this act, within a reasonable time fixed by the
8800 [Commissioner of Administrative Services] Secretary of the Office of
8801 Policy and Management, except that appointment of such an eligible

8802 person need not be made if the [commissioner] secretary, upon good
8803 cause shown, approves the request of an appointing authority that no
8804 appointment be made. Such appointment shall be effective on the date
8805 designated by the appointing authority.

8806 Sec. 205. Section 5-230 of the general statutes is repealed and the
8807 following is substituted in lieu thereof (*Effective July 1, 2013*):

8808 The [Commissioner of Administrative Services] Secretary of the
8809 Office of Policy and Management shall establish appropriate working
8810 test periods of not less than three months nor more than one year for
8811 the various classes of positions. Within ten days preceding the
8812 termination of the working test period, and at such other times as the
8813 [commissioner requires] secretary deems appropriate, the appointing
8814 authority shall report to the [commissioner] secretary whether such
8815 employee is able and willing to perform his duties in a manner so as to
8816 merit permanent appointment. [The requirement as to such reports for
8817 positions involving unskilled or semiskilled labor or domestic,
8818 attending or other housekeeping and custodial service at institutions
8819 may be waived.] At any time during the working test period, after fair
8820 trial, the appointing authority may remove any employee if, in the
8821 opinion of such appointing authority, the working test indicates that
8822 such employee is unable or unwilling to perform his or her duties so as
8823 to merit continuance in such position and shall report [his action] such
8824 removal to the [commissioner] secretary. The name of any employee so
8825 removed, but who is considered by the [commissioner] secretary to be
8826 suitable for employment in some other department, agency or
8827 institution, may be restored to the candidate list if such list is active.
8828 For the purposes of this section, any employee who has served part of
8829 a working test period in a position in the classified service who is,
8830 pursuant to examination, appointed to, and serves part of a working
8831 test period in, a position in a higher classification in a field of work
8832 directly related to his or her prior position, from which new position
8833 he or she is dismissed, shall, at his or her option, be reappointed to the
8834 position which [he] such employee first had and his or her service in

8835 the working test period for such first position shall be deemed to
8836 include the time spent in the working test period for the higher
8837 position, provided there is a vacancy in such employee's prior position.

8838 Sec. 206. Section 5-231 of the general statutes is repealed and the
8839 following is substituted in lieu thereof (*Effective July 1, 2013*):

8840 No person shall be required to be a resident of this state in order to
8841 be eligible to take any examination, or be eligible for appointment to
8842 the classified service, except that the [Commissioner of Administrative
8843 Services] Secretary of the Office of Policy and Management may
8844 establish residence requirements for certain classes of positions when it
8845 is deemed to be in the best interests of the state.

8846 Sec. 207. Section 5-233 of the general statutes is repealed and the
8847 following is substituted in lieu thereof (*Effective July 1, 2013*):

8848 For positions involving unskilled and semiskilled labor or for
8849 positions involving domestic, attending or other housekeeping and
8850 custodial services at state institutions or agencies or for other similar
8851 classes where the character of the work, or the place of work, makes it
8852 impracticable to secure at stated times a sufficient number of
8853 applicants to supply the needs of the service, or where it is
8854 impracticable to examine and secure such persons from candidate lists
8855 with sufficient promptness to supply the needs of the service, the
8856 [Commissioner of Administrative Services] Secretary of the Office of
8857 Policy and Management may establish procedures which will permit
8858 the registration and, in [his] the secretary's discretion, the examination
8859 of applicants, singly or in groups, at such times and places as meet the
8860 convenience of applicants and needs of the service, without public
8861 notice as required in this chapter.

8862 Sec. 208. Section 5-234 of the general statutes is repealed and the
8863 following is substituted in lieu thereof (*Effective July 1, 2013*):

8864 The [Commissioner of Administrative Services] Secretary of the

8865 Office of Policy and Management may provide by [regulation]
8866 regulations adopted in accordance with the provisions of chapter 54,
8867 for the appointment, with or without examination, of qualified persons
8868 in a class in which the incumbent serves for not more than three years
8869 in the class as part of an established training program. Any person so
8870 appointed to a professional or preprofessional training class may,
8871 upon successful completion of the required minimum working test
8872 period and training program, be reclassified to a position in the next
8873 higher level class for which the training program is established. The
8874 provisions of this section shall not apply to sections 5-224 and 7-415
8875 concerning the veterans preference.

8876 Sec. 209. Section 5-235 of the general statutes is repealed and the
8877 following is substituted in lieu thereof (*Effective July 1, 2013*):

8878 (a) [When a candidate list provided under section 5-215a contains
8879 fewer than five candidates, in] In order to facilitate the carrying on of
8880 public business or avoid inconvenience to the public, but not
8881 otherwise, the [Commissioner of Administrative Services] Secretary of
8882 the Office of Policy and Management may authorize the filling of the
8883 position at once by provisional appointment, [pending the
8884 establishment of a] provided there are no individuals on the
8885 reemployment or candidate list. Any such provisional appointment
8886 shall continue only until [a reemployment or candidate list for such
8887 position is established and, in no case, for a period exceeding a total of
8888 six months] an appropriate recruitment is made for the filling of such
8889 position in accordance with section 5-233, as amended by this act. No
8890 person shall receive more than one provisional appointment or serve
8891 more than six months as a provisional appointee in any one fiscal year.

8892 (b) When, by reason of the pressure of work, an appointing
8893 authority determines that an extra position in the classified service
8894 should be temporarily established for a period of not more than six
8895 months, such appointing authority shall so notify the [commissioner]
8896 secretary, stating the cause therefor, the probable length of time the

8897 extra position will be required, the duties to be performed and the
8898 salary to be paid. When, in the judgment of the [commissioner]
8899 secretary such an extra position should be established, [he] the
8900 secretary shall authorize the temporary appointment of a qualified
8901 person, with or without competitive examinations. Temporary
8902 appointments to extra positions shall, as far as practicable, be made
8903 from reemployment and candidate lists. No such appointments shall
8904 be authorized for a period of more than six months and such
8905 appointments shall not be renewed within any fiscal year.

8906 (c) An appointing authority or any subordinate authorized by him,
8907 to facilitate the carrying on of public business or avoid loss or serious
8908 inconvenience to the public, when an emergency arises which will not
8909 permit the securing of eligible persons, may appoint any qualified
8910 person during such emergency for a period of not more than two
8911 months. Persons so appointed shall be known as emergency
8912 employees. Appointing authorities shall report to the [commissioner]
8913 secretary all emergency appointments and such appointments shall
8914 not be renewed.

8915 (d) The [commissioner] secretary may establish unskilled and
8916 semiskilled positions, as [defined] described in section 5-233, as
8917 amended by this act, or, by competitive examination, candidate lists of
8918 eligible persons who are available for employment on an intermittent
8919 basis and either the administrator of the Unemployment
8920 Compensation Act or the Commissioner of Revenue Services may
8921 appoint persons to such positions or from such lists to perform
8922 intermittent services as may be required. Persons so employed shall be
8923 known as intermittent employees and shall be compensated on an
8924 hourly rate basis as prescribed by the [Commissioner of
8925 Administrative Services, subject to the approval of the] Secretary of the
8926 Office of Policy and Management. Intermittent employees shall not be
8927 considered permanent employees and shall receive only such rights
8928 and benefits applicable to other state employees as may be expressly
8929 prescribed by the [Commissioner of Administrative Services] Secretary

8930 of the Office of Policy and Management. Such intermittent employees
8931 who meet eligibility requirements shall be admitted to promotional
8932 examinations and be placed on candidate lists pursuant to this chapter.

8933 Sec. 210. Subsection (a) of section 5-236 of the general statutes is
8934 repealed and the following is substituted in lieu thereof (*Effective July*
8935 *1, 2013*):

8936 (a) An appointing authority, in his or her discretion, may request
8937 from the [Commissioner of Administrative Services] Secretary of the
8938 Office of Policy and Management a list of eligible candidates for a
8939 position exempt from the classified service and may appoint an
8940 employee from such a list.

8941 Sec. 211. Section 5-237 of the general statutes is repealed and the
8942 following is substituted in lieu thereof (*Effective July 1, 2013*):

8943 (a) The [Commissioner of Administrative Services shall issue]
8944 Secretary of the Office of Policy and Management shall issue adopt, in
8945 accordance with the provisions of chapter 54, such regulations for the
8946 administration of such service rating system as the [commissioner shall
8947 deem] secretary deems practicable. Such service ratings shall be used
8948 in determining salary and wage increases and decreases within the
8949 limits provided by statute and within the limits of the schedules of
8950 compensation, as a means of discovering employees in the classified
8951 service who, by reason of their unsatisfactory service, ought to be
8952 demoted or dismissed. Reports of service ratings or of information to
8953 be used as a basis for service ratings shall not be required for any
8954 employee or group of employees more often than once in three months
8955 without the consent of the appointing authorities. Any employee in the
8956 classified service shall have the right, at reasonable times during office
8957 hours, to inspect his service ratings, as shown by the records of the
8958 [Department of Administrative Services] Office of Policy and
8959 Management or of the department, agency or institution in which such
8960 employee is employed.

8961 (b) Notwithstanding the provisions of subsection (a) of this section,
8962 the [Commissioner of Administrative Services] Secretary of the Office
8963 of Policy and Management shall provide for the administration of a
8964 performance appraisal system as the [commissioner] secretary deems
8965 practical for employees whose positions have been designated as
8966 managerial, except in the Legislative and Judicial Departments. Such
8967 performance appraisals shall be used in determining managerial
8968 compensation in accordance with the provisions of subsection (d) of
8969 section 5-210, as amended by this act, and shall be required
8970 periodically as determined by the [Commissioner of Administrative
8971 Services] Secretary of the Office of Policy and Management.

8972 Sec. 212. Section 5-238 of the general statutes is repealed and the
8973 following is substituted in lieu thereof (*Effective July 1, 2013*):

8974 The [Commissioner of Administrative Services shall issue] Secretary
8975 of the Office of Policy and Management shall adopt regulations, in
8976 accordance with the provisions of chapter 54, for establishing and
8977 maintaining uniform and equitable hours of work required of all
8978 employees in the Executive Department. [which regulations shall be
8979 approved by the Secretary of the Office of Policy and Management.]
8980 The number of hours any employee shall be required to be on duty
8981 each day or in any week or month shall be uniform for all whose
8982 positions are allocated to the same class unless specifically otherwise
8983 provided by action of the [commissioner] secretary and recorded in his
8984 office, together with the reason for each such exception, but the hours
8985 for different classes may be different. A copy of such regulations, when
8986 issued, shall be furnished to each department, agency or institution for
8987 the guidance of appointing authorities and their employees. Where
8988 work requirements cannot be met by the establishment of regular work
8989 schedules, the [commissioner] secretary may designate positions or
8990 classes as unscheduled, provided, over a period of not more than eight
8991 weeks, no employee serving in a position designated as unscheduled
8992 shall average more than five workdays and thirty-five hours per week
8993 per period.

8994 Sec. 213. Section 5-239 of the general statutes is repealed and the
8995 following is substituted in lieu thereof (*Effective July 1, 2013*):

8996 The [Commissioner of Administrative Services] Secretary of the
8997 Office of Policy and Management shall provide by [regulation]
8998 regulations adopted in accordance with the provisions of chapter 54
8999 for the transfer of employees from a position of a given class to another
9000 position in the same or a comparable class either within the same
9001 department, agency or institution or from one department, agency or
9002 institution to another. The [commissioner] secretary shall also provide
9003 by regulation for the periodical or occasional transfer of employees for
9004 a period not exceeding six months, to bring about the better
9005 distribution of persons in the service, to effect economies, to make
9006 available extra stenographic, clerical, messenger or other service
9007 needed for short periods or to provide training sought by employees
9008 or required by appointing authorities. When any department, agency
9009 or institution needs additional employees for a short period, it shall
9010 notify the [commissioner] secretary, who shall so far as possible
9011 arrange for the temporary assignment of such additional employees on
9012 the basis of a temporary transfer. No person shall be transferred from a
9013 position in the unclassified service to a position in the classified service
9014 unless the person is eligible for selection from a candidate list in
9015 accordance with the provisions of section 5-215a, as amended by this
9016 act.

9017 Sec. 214. Section 5-239a of the general statutes is repealed and the
9018 following is substituted in lieu thereof (*Effective July 1, 2013*):

9019 The [Commissioner of Administrative Services] Secretary of the
9020 Office of Policy and Management may establish procedures for the
9021 assignment of permanent state employees of the executive branch,
9022 including institutions of higher education encompassing technical and
9023 junior colleges as well as four-year colleges and universities, to a
9024 federal agency, to the office of the court monitor at the Department of
9025 Children and Families established in accordance with the terms of the

9026 consent decree entered in the case of *Juan F. v. O'Neill*, United States
9027 District Court, Docket No. H-89-859 (D. Conn. January 7, 1991), to any
9028 municipality of the state or to institutions of higher education,
9029 including private as well as public institutions and technical and junior
9030 colleges as well as four-year colleges and universities, provided that
9031 the assignment meets with the written approval of the appointing
9032 authorities of the agencies and institutions involved in the assignment
9033 of the employee. State employees may only be assigned to such
9034 agencies and institutions with their personal consent. Assignments
9035 may be made for a period of up to two years and renewed once for an
9036 additional two years, provided any assignment of an employee to the
9037 court monitor at the Department of Children and Families shall not be
9038 subject to such durational time limits and may remain effective until
9039 December 31, 2007. An employee on such assignment may be deemed
9040 to be on detail to a regular work assignment of his or her agency or
9041 institution and entitled to full salary and benefits and all rights and
9042 privileges for his class or position. Employees of a federal agency or
9043 any municipality of the state or institutions of higher education,
9044 including private as well as public institutions and technical and junior
9045 colleges as well as four-year colleges and universities, on assignment
9046 with an agency of the executive branch of state government shall serve
9047 under appointment made without regard to provisions of the general
9048 statutes regarding appointment in the classified service. The cost of
9049 any salary and benefits may be shared by the jurisdiction or be paid
9050 entirely by one or the other and shall be subject to negotiation between
9051 the agencies or institutions cooperating on the assignment. Once the
9052 agencies or institutions have agreed upon the assignment and all terms
9053 and conditions for the assignment, it shall be put into effect by a
9054 written agreement and submitted to the [Commissioner of
9055 Administrative Services and the] Secretary of the Office of Policy and
9056 Management for approval.

9057 Sec. 215. Subsection (c) of section 5-240 of the general statutes is
9058 repealed and the following is substituted in lieu thereof (*Effective July*

9059 1, 2013):

9060 (c) An appointing authority may dismiss any employee in the
9061 classified service when the authority considers the good of the service
9062 will be served thereby. A permanent employee shall be given written
9063 notice of such dismissal at least two weeks in advance of the
9064 employee's dismissal, except as hereinafter provided, and a copy of the
9065 same shall be filed with the Secretary of the Office of Policy and
9066 Management or the secretary's designated representative. Such notice
9067 shall set forth the reasons for dismissal in sufficient detail to indicate
9068 whether the employee was discharged for misconduct, incompetence
9069 or other reasons relating to the effective performance of the employee's
9070 duties and shall be prepared in such form and given in such manner as
9071 the Secretary of the Office of Policy and Management prescribes. The
9072 Secretary of the Office of Policy and Management may provide by
9073 regulation for the waiving of advance notice in cases of serious
9074 misconduct by an employee affecting the public, the welfare, health or
9075 safety of patients, inmates or state employees or the protection of state
9076 property. Such regulation shall provide for written notice to a
9077 permanent employee who has attained permanent status and shall not
9078 preclude whatever rights any employee may have to appeal. The name
9079 of any such employee dismissed for incompetence or other reasons
9080 relating to the effective performance of the employee's duties shall be
9081 immediately removed from the eligible list in the [office of the
9082 Commissioner of Administrative Services] Office of Policy and
9083 Management. No appointing authority shall pay any dismissed
9084 employee notice period pay or any other separation pay at a rate that
9085 exceeds the dismissed employee's rate of compensation, at the time of
9086 dismissal, for two weeks, or the amount of notice period provided for
9087 in an applicable collective bargaining agreement.

9088 Sec. 216. Subsection (b) of section 5-241 of the general statutes is
9089 repealed and the following is substituted in lieu thereof (*Effective July*
9090 *1, 2013*):

9091 (b) An appointing authority desiring to lay off an employee shall
9092 give him not less than two weeks' notice in writing, stating the reason
9093 for such action, except that in the case of an employee, as defined in
9094 section 5-196, as amended by this act, who is not covered by a
9095 collective bargaining agreement and who has been in the classified
9096 service for (1) at least five but not more than ten years, the appointing
9097 authority shall provide at least four weeks' notice, (2) more than ten
9098 but not more than fifteen years, the appointing authority shall provide
9099 at least six weeks' notice, (3) more than fifteen years, the appointing
9100 authority shall provide at least eight weeks' notice. A copy of such
9101 notice shall immediately be forwarded to the [Commissioner of
9102 Administrative Services] Secretary of the Office of Policy and
9103 Management. The [commissioner] secretary shall arrange to have the
9104 employee transferred to a vacancy in the same or a comparable class or
9105 in any other position the employee is qualified to fill in any
9106 department, agency or institution. If there is no vacancy available or
9107 the employee refuses to accept the transfer, the [commissioner]
9108 secretary shall cause the name of such employee to be placed on the
9109 reemployment list for the appropriate class for which [he] such
9110 employee has attained permanent status or has the ability to qualify, as
9111 determined by the [commissioner] secretary. During the period [he]
9112 the employee is entitled to remain on the reemployment list, such an
9113 employee shall be rehired in the classification from which he or she
9114 was laid off or for which he is qualified, as vacancies occur, in the
9115 reverse order of layoff. Any employee who is rehired from a
9116 reemployment or other employment list into a classification he or she
9117 had prior status in shall not be required to complete a new working
9118 test period, as defined in subdivision [(1)] (27) of section 5-196, as
9119 amended by this act.

9120 Sec. 217. Section 5-243 of the general statutes is repealed and the
9121 following is substituted in lieu thereof (*Effective July 1, 2013*):

9122 Resignations from the classified service [and reemployment] of
9123 former state employees who have retired [but who have not reached

9124 the mandatory retirement age] shall be subject to regulations issued by
9125 the [Commissioner of Administrative Services] Secretary of the Office
9126 of Policy and Management, in accordance with the provisions of
9127 chapter 54, but shall not be required to serve a working test period as
9128 defined in section 5-196, as amended by this act, if reemployed in a
9129 position in which they had previously held permanent status.

9130 Sec. 218. Section 5-244 of the general statutes is repealed and the
9131 following is substituted in lieu thereof (*Effective July 1, 2013*):

9132 When an employee has become physically or mentally incapable of,
9133 or unfit for, the efficient performance of the duties of his position, by
9134 reason of infirmities due to advanced age or other disability, the
9135 appointing authority shall recommend to the [Commissioner of
9136 Administrative Services] Secretary of the Office of Policy and
9137 Management that the employee be transferred to less arduous duties
9138 or separated from state service in good standing. Any employee who
9139 has retired from state service and is reemployed within one year from
9140 the date of his or her retirement shall be eligible to repay the entire
9141 amount received as payment for sick leave and restore the amount of
9142 sick leave accrued as of the date of such former employee's retirement.
9143 Such payment shall be made in a lump sum not later than thirty days
9144 of the date of his or her reemployment. If such payment is not received
9145 within thirty days, the employee shall forfeit the right to a
9146 reinstatement of sick leave.

9147 Sec. 219. Section 5-245 of the general statutes is repealed and the
9148 following is substituted in lieu thereof (*Effective July 1, 2013*):

9149 (a) Any state employee who performs work authorized by his
9150 appointing authority for a period in addition to the hours of the
9151 employee's regular, established workweek shall receive compensation
9152 as follows: (1) For that portion of such additional time worked which
9153 when added to the employee's regular, established workweek does not
9154 exceed forty hours, the employee shall be compensated at an hourly

9155 rate based on [his] the employee's annual salary; (2) for that portion of
9156 such additional time worked which when added to the employee's
9157 regular, established workweek exceeds forty hours, the employee shall
9158 be compensated at a rate equal to one and one-half times an hourly
9159 rate based on his annual salary.

9160 (b) The provisions of this section shall not be applied with respect to
9161 any employee employed in (1) an executive, administrative or
9162 professional capacity as such terms may be defined and delimited
9163 from time to time by the [Commissioner of Administrative Services]
9164 Secretary of the Office of Policy and Management, or (2) a position or
9165 class which has been designated as unscheduled by the [Commissioner
9166 of Administrative Services] Secretary of the Office of Policy and
9167 Management, or (3) a position the regular work schedule of which
9168 requires rotating shifts as approved by the [Commissioner of
9169 Administrative Services] Secretary of the Office of Policy and
9170 Management and recorded in [his] the secretary's office, which
9171 schedule shall not average more than five work days per week over a
9172 period of not more than eight weeks.

9173 (c) Any person serving in a position referred to in subdivision (2) or
9174 (3) of subsection (b) of this section who performs work authorized by
9175 [his] such person's appointing authority for a period in addition to his
9176 or her average workweek shall receive compensation as follows: (1)
9177 For those hours worked in any one workweek which are additional to
9178 his regularly scheduled hours for such week and which, when added
9179 to the employee's average workweek, do not exceed forty hours, the
9180 employee shall be compensated at an hourly rate based on [his] the
9181 employee's annual salary; (2) for those hours worked in any one
9182 workweek which are additional to [his] the employee's regularly
9183 scheduled hours for such week and which, when added to the
9184 employee's average workweek, exceed forty hours, the employee shall
9185 be compensated at a rate equal to one and one-half times an hourly
9186 rate based on [his] the employee's annual salary, provided nothing in
9187 this section in conflict with section 5-246, as amended by this act, shall

9188 be construed to apply to any member of the state police.

9189 (d) Any employee whose position is subject to the federal Fair Labor
9190 Standards Act shall receive any additional compensation for overtime
9191 which may be required by the provisions of said act.

9192 (e) The [Commissioner of Administrative Services] Secretary of the
9193 Office of Policy and Management shall disseminate such information
9194 and establish such procedure as may be necessary for the efficient
9195 administration of this section.

9196 Sec. 220. Subsection (b) of section 5-246 of the general statutes is
9197 repealed and the following is substituted in lieu thereof (*Effective July*
9198 *1, 2013*):

9199 (b) A state policeman employed in an executive, administrative or
9200 professional capacity as defined under the provisions of subsection (b)
9201 of section 5-245, as amended by this act, who performs work
9202 authorized by the Commissioner of Emergency Services and Public
9203 Protection in addition to the hours of his regular workweek as
9204 established by the commissioner shall be granted equivalent time off
9205 with pay, except that the provisions of this subsection with respect to
9206 such work performed on and after August 3, 1983, shall not apply to
9207 the commissioner and the deputy commissioner. Equivalent time off
9208 with pay granted to a state police officer of the rank of lieutenant or
9209 above for work authorized on and after June 8, 1984, shall be taken in
9210 accordance with the provisions of the management personnel policy
9211 concerning compensatory time adopted by the [Commissioner of
9212 Administrative Services] Secretary of the Office of Policy and
9213 Management.

9214 Sec. 221. Section 5-247 of the general statutes is repealed and the
9215 following is substituted in lieu thereof (*Effective July 1, 2013*):

9216 (a) Each appointing authority shall grant, on account of illness or
9217 injury, to each full-time employee in a permanent position in the state

9218 service who has furnished satisfactory proof of such illness or injury,
9219 such sick leave with pay as has accrued to his credit at the rate of one
9220 and one-quarter working days for each completed calendar month of
9221 continuous full-time service which may be computed on an hourly
9222 basis. Hourly computation of sick leave shall not diminish benefit
9223 entitlement. [On or before October 1, 1980, the Commissioner of
9224 Administrative Services] The Secretary of the Office of Policy and
9225 Management shall adopt regulations, in accordance with chapter 54,
9226 concerning the accrual, prorating and granting of sick leave with pay
9227 to other employees in the state service and extending sick leave with
9228 pay or with part pay for longer periods to full-time permanent
9229 employees disabled through illness or injury. A general worker
9230 employed in a position by the Department of Developmental Services
9231 as a self-advocate, not to exceed eleven such general workers, shall be
9232 eligible for prorated sick leave, in accordance with regulations adopted
9233 pursuant to this section. Each such employee who retires under the
9234 provisions of chapter 66 shall be compensated, effective as of the date
9235 of his retirement, at the rate of one-fourth of such employee's salary for
9236 sick leave accrued to his credit as of his last day on the active payroll
9237 up to a maximum payment equivalent to sixty days' pay. Such
9238 payment for accumulated sick leave shall not be included in
9239 computing retirement income and shall be charged by the State
9240 Comptroller to the department, agency or institution in which the
9241 employee worked.

9242 (b) Any state employee who resigns from state service in good
9243 standing and who is reemployed within one year from the date of his
9244 resignation shall be credited with the amount of sick leave accrued to
9245 his credit on the effective date of his resignation.

9246 (c) Sick leave accruals earned by employees in the unclassified
9247 service, in accordance with administrative practice or internal
9248 departmental regulations similar to those governing the classified
9249 service, prior to June 30, 1967, and which can be verified by written
9250 attendance records and which have not been used, remain to the credit

9251 of such employees for use for the purpose for which they were granted
9252 or for payment on retirement, as provided in subsection (a) of this
9253 section, as the case may be.

9254 (d) Any state employee who is collecting sick leave benefits under
9255 the provisions of this section shall not be otherwise employed on a
9256 full-time basis during the sick leave period. Sick leave benefits shall be
9257 denied for any day, during such period, on which any such employee
9258 performs full-time employment for another employer. The
9259 [Commissioner of Administrative Services] Secretary of the Office of
9260 Policy and Management shall adopt regulations, in accordance with
9261 the procedures of chapter 54, to enforce the requirements of this
9262 subsection.

9263 Sec. 222. Subsection (a) of section 5-248 of the general statutes is
9264 repealed and the following is substituted in lieu thereof (*Effective July*
9265 *1, 2013*):

9266 (a) An appointing authority may, with the approval of the
9267 [Commissioner of Administrative Services] Secretary of the Office of
9268 Policy and Management, grant a leave of absence with full pay, part
9269 pay or without pay, subject to the regulations issued by the
9270 [Commissioner of Administrative Services] Secretary of the Office of
9271 Policy and Management, to any employee in the classified service for a
9272 period not exceeding one year. Such leave may be extended beyond
9273 one year by an appointing authority, provided such action shall be
9274 approved by the [Commissioner of Administrative Services] Secretary
9275 of the Office of Policy and Management. In the granting of a leave of
9276 absence without pay, the appointing authority shall notify the
9277 employee and the [Commissioner of Administrative Services]
9278 Secretary of the Office of Policy and Management whether the position
9279 will be held awaiting the employee's return or whether reinstatement
9280 will be dependent upon whether or not a suitable vacancy is available.
9281 A leave of absence with full or part pay may be granted only for
9282 educational purposes in order to enable an employee to study or

9283 receive technical training which will increase his proficiency in his
9284 position or for such other purpose as may be specified by the
9285 [Commissioner of Administrative Services] Secretary of the Office of
9286 Policy and Management to be in the best interests of the state.

9287 Sec. 223. Subsections (e) and (f) of section 5-248 of the general
9288 statutes are repealed and the following is substituted in lieu thereof
9289 (*Effective July 1, 2013*):

9290 (e) When any employee has been on authorized leave of absence
9291 without his position being held and is ready to report for duty when a
9292 position is available, the [Commissioner of Administrative Services]
9293 Secretary of the Office of Policy and Management shall refer the name
9294 of the employee to an appointing authority for possible reinstatement
9295 to a position in a class in which the employee has attained permanent
9296 status. The employee may be reinstated at the discretion of the
9297 appointing authority, provided no other employee has rights to the
9298 position pursuant to subsection (b) of section 5-241, as amended by
9299 this act.

9300 (f) Any agency may reinstate, without examination, any employee
9301 who has resigned in good standing and has withdrawn his resignation
9302 within one year to positions in classes in which he has attained
9303 permanent status. A classified employee with at least five years of state
9304 service appointed to an unclassified position may be granted a leave of
9305 absence without pay from the classified service for such length of time
9306 as he shall hold such appointive position. Such leave of absence shall
9307 be approved by the Secretary of the Office of Policy and Management
9308 and shall be renewed every two years.

9309 Sec. 224. Section 5-248b of the general statutes is repealed and the
9310 following is substituted in lieu thereof (*Effective July 1, 2013*):

9311 [On or before July 1, 1988, the Commissioner of Administrative
9312 Services] The Secretary of the Office of Policy and Management shall
9313 adopt regulations, in accordance with the provisions of chapter 54,

9314 which establish procedures and guidelines necessary to implement the
9315 provisions of section 5-248a, as amended by this act, including but not
9316 limited to procedures for the periodic reporting by state agencies to the
9317 [commissioner] secretary of their current experience with leaves of
9318 absence taken pursuant to said section. [Such regulations may be
9319 adopted by the commissioner prior to July 1, 1988, but may not take
9320 effect prior to that date.]

9321 Sec. 225. Section 5-248c of the general statutes is repealed and the
9322 following is substituted in lieu thereof (*Effective July 1, 2013*):

9323 (a) The [Commissioner of Administrative Services, in conjunction
9324 with the] Secretary of the Office of Policy and Management [.] shall
9325 implement a voluntary schedule reduction program under which
9326 permanent state employees may, with the approval of their appointing
9327 authority, take unpaid leave consisting of individual prescheduled
9328 days or partial days off, without loss of seniority, benefits, longevity,
9329 retirement credit, sick leave, vacation or earned overtime
9330 accumulation.

9331 (b) Any unpaid leave taken pursuant to this section shall not be
9332 construed to affect an employee's qualifications for exemption under
9333 chapter 558.

9334 (c) The [Commissioner of Administrative Services, in conjunction
9335 with the] Secretary of the Office of Policy and Management [.] may
9336 adopt regulations, in accordance with the provisions of chapter 54, to
9337 implement the provisions of this section.

9338 Sec. 226. Section 5-248i of the general statutes is repealed and the
9339 following is substituted in lieu thereof (*Effective July 1, 2013*):

9340 (a) The [Commissioner of Administrative Services] Secretary of the
9341 Office of Policy and Management shall, within available
9342 appropriations, develop and implement guidelines, in cooperation
9343 with interested employee organizations, as defined in subsection (d) of

9344 section 5-270, authorizing telecommuting and work-at-home programs
9345 for state employees. Such guidelines shall be designed to achieve the
9346 following goals: (1) Increase worker efficiency and productivity; (2)
9347 benefit the environment; and (3) reduce traffic congestion. The
9348 guidelines of the telecommuting or work-at-home program and
9349 determination of whether an employment position is appropriate for
9350 such program shall not be subject to collective bargaining under the
9351 provisions of chapter 68.

9352 (b) Any employee of a state agency may be authorized either by the
9353 head of such state agency or, for any employee of the legislative
9354 branch, by the executive director of the Joint Committee on Legislative
9355 Management, or his or her designated representative, to participate in
9356 a telecommuting or work-at-home assignment. Approval of such
9357 assignment may be granted only where it is determined to be in
9358 compliance with the guidelines developed pursuant to subsection (a)
9359 of this section. Any assignment shall be on a temporary basis only, and
9360 may be terminated as required by agency operating needs. Each state
9361 agency shall provide the [Department of Administrative Services]
9362 Office of Policy and Management with a copy of any telecommuting or
9363 work-at-home program arrangement that it authorizes for any
9364 employee of such agency.

9365 (c) The [Commissioner of Administrative Services] Secretary of the
9366 Office of Policy and Management shall include in the annual report
9367 required under section 5-204, as amended by this act, the extent of use
9368 by employees of the programs provided pursuant to subsections (a)
9369 and (b) of this section.

9370 Sec. 227. Subsections (a) and (b) of section 5-250 of the general
9371 statutes are repealed and the following is substituted in lieu thereof
9372 (*Effective July 1, 2013*):

9373 (a) Each appointing authority shall grant to each full-time employee
9374 in a permanent position in the state service, who has worked at least

9375 one full calendar year, an annual vacation with pay of twenty-one
9376 consecutive calendar days or its equivalent. Each such employee who
9377 has completed twenty years of service shall be entitled to one day for
9378 each additional year up to twenty-five years of service, and each such
9379 employee with twenty-five or more years of service shall be entitled to
9380 not more than twenty days' vacation, subject to regulations issued by
9381 the [Commissioner of Administrative Services] Secretary of the Office
9382 of Policy and Management. The [Commissioner of Administrative
9383 Services] Secretary of the Office of Policy and Management may adopt
9384 regulations, in accordance with the provisions of chapter 54,
9385 concerning the accrual, prorating and granting of vacation leave with
9386 pay as required. Computation of such vacation leave may be made on
9387 an hourly basis. Hourly computation of vacation leave shall not
9388 diminish benefit entitlement.

9389 (b) An appointing authority may permit a full-time permanent
9390 employee in the state service to accumulate vacation days with pay up
9391 to a maximum of one hundred twenty vacation days, subject to
9392 regulations issued by the [Commissioner of Administrative Services]
9393 Secretary of the Office of Policy and Management.

9394 Sec. 228. Section 5-251 of the general statutes is repealed and the
9395 following is substituted in lieu thereof (*Effective July 1, 2013*):

9396 Any state employee receiving compensation benefits in accordance
9397 with section 5-142 or 5-143 shall continue to accrue sick leave credits as
9398 provided in section 5-247 and vacation credits as provided in section 5-
9399 250, as amended by this act, for the first twelve months of any such
9400 period of compensation in accordance with regulations issued by the
9401 [Commissioner of Administrative Services] Secretary of the Office of
9402 Policy and Management.

9403 Sec. 229. Subsection (a) of section 5-254 of the general statutes is
9404 repealed and the following is substituted in lieu thereof (*Effective July*
9405 *1, 2013*):

9406 (a) Each full-time permanent employee in the state service shall be
9407 granted time off with pay for any legal holiday. A general worker
9408 employed in a position by the Department of Developmental Services
9409 as a self-advocate, not to exceed eleven such general workers, shall be
9410 granted time off with pay for any legal holiday that falls on a day that
9411 the general worker is regularly scheduled to work and provided the
9412 pay shall be for the number of hours the general worker would have
9413 been scheduled to work. If a legal holiday falls on a Saturday,
9414 employees shall be granted equivalent time off on the Friday
9415 immediately preceding such Saturday or given another day off in lieu
9416 thereof. The [Commissioner of Administrative Services] Secretary of
9417 the Office of Policy and Management may issue regulations governing
9418 the granting of holiday time to other employees in the state service in
9419 accordance with the provisions of chapter 54. [, which regulations shall
9420 be approved by the Secretary of the Office of Policy and Management.]

9421 Sec. 230. Section 5-255 of the general statutes is repealed and the
9422 following is substituted in lieu thereof (*Effective July 1, 2013*):

9423 (a) Any employee who leaves or had left the state service for the
9424 purpose of entering the armed forces of the United States shall be
9425 reinstated in [his] such employee's former position and duties,
9426 provided, [within] not later than ninety days after [he] such employee
9427 has received a certificate of satisfactory service from the armed forces,
9428 [he makes or has made application] such employee applies or has
9429 applied for return to the state service. The terms of employment in the
9430 service of the state shall be construed to include, in the case of such
9431 employee, the period of [his] such employee's leave from state service.
9432 The appointing authority of any state agency in which such employee
9433 is reinstated shall certify in writing to the [Commissioner of
9434 Administrative Services] Secretary of the Office of Policy and
9435 Management that such employee is able and qualified to perform the
9436 work required and that there is work available for him or her. In
9437 considering the factor of availability of work, the state shall replace by
9438 the returning employee any employee, junior in service, who was

9439 employed for the purpose of filling the position vacated by such
9440 returning employee. This section shall not apply to any state employee
9441 who because of voluntary reenlistment has been absent from such state
9442 service for a period of more than three years in addition to war service
9443 or compulsory service and the ninety-day period [hereinbefore]
9444 provided for in this subsection. In no event shall the benefits provided
9445 under this section be less than those required under any applicable
9446 federal law, including the Uniformed Services Employment and
9447 Reemployment Rights Act, 38 USC Sections 4301 to 4333, inclusive.

9448 (b) The term of employment in the service of the state shall be
9449 construed to include, in the case of a veteran, the term of war service of
9450 such veteran, and all records of the state which show the length of
9451 service in the employment of the state of any such veteran shall be
9452 maintained so as to show the length of such war service and the total
9453 of such employment service and war service.

9454 Sec. 231. Section 5-256 of the general statutes is repealed and the
9455 following is substituted in lieu thereof (*Effective July 1, 2013*):

9456 (a) The term of employment in state service shall be construed to
9457 include, in the case of a county employee taken into state service
9458 pursuant to the express provisions of the general statutes, or in the
9459 case of a former county employee who subsequently was appointed to
9460 a position in the state service, or in the case of a former clerical
9461 employee in a county agricultural extension office when such service
9462 was sponsored by the county farm bureau or county agricultural
9463 extension council who subsequently was appointed in the state service,
9464 or in the case of a former employee of a bookstore at a state college or
9465 other state institution of higher education, the operation and
9466 management of which has been assumed by the state, and who
9467 subsequently was appointed to a position in the state service, the term
9468 of his county service or extension office service or state college
9469 bookstore service or bookstore service at any other state institution of
9470 higher education on an equivalent basis, upon receipt of data

9471 satisfactory to the [Commissioner of Administrative Services]
9472 Secretary of the Office of Policy and Management showing the time
9473 such employee worked for such county or extension office or state
9474 college bookstore service or bookstore service at any other state
9475 institution of higher education. All records of the state which show the
9476 length of service in the employment of the state of any such former
9477 county or extension office or state college bookstore or bookstore of
9478 any other state institution of higher education employee shall be
9479 maintained to show the length of such county or extension office or
9480 state college bookstore service or bookstore service at any other state
9481 institution of higher education and the total of state service and county
9482 or extension office or state college bookstore service or bookstore
9483 service at any other state institution of higher education.

9484 (b) The term of employment in state service shall be construed to
9485 include, in the case of a Hartford Bridge Authority employee taken
9486 into state service pursuant to the express provisions of the general
9487 statutes, the term of his service with the Hartford Bridge Authority on
9488 an equivalent basis, upon receipt of data satisfactory to the
9489 [Commissioner of Administrative Services] Secretary of the Office of
9490 Policy and Management showing the time such employee worked for
9491 such bridge authority. All records of the state which show the length of
9492 service in the employment of the state of any such former bridge
9493 authority employee shall be maintained to show the length of such
9494 bridge authority service and the total of state service and bridge
9495 authority service.

9496 (c) The term of employment in state service shall be construed to
9497 include, in the case of an employee or part-time or intermittent
9498 employee of a state, municipal, city, police, justice or traffic court taken
9499 into state service in the Circuit Court, the term of his service with such
9500 state, municipal, city, police, justice or traffic court on an equivalent
9501 basis, upon receipt of data satisfactory to the [Commissioner of
9502 Administrative Services] Secretary of the Office of Policy and
9503 Management showing the time such employee worked for such state,

9504 municipal, city, police, justice or traffic court. All records of the state
9505 which show the length of service in the employment of the state of any
9506 such former state, municipal, city, police, justice or traffic court
9507 employee shall be maintained to show the length of such former
9508 service and the total of state service and state, municipal, city, police,
9509 justice or traffic court service.

9510 Sec. 232. Section 5-265 of the general statutes is repealed and the
9511 following is substituted in lieu thereof (*Effective July 1, 2013*):

9512 Departments, agencies and institutions, subject to regulations issued
9513 by the [Commissioner of Administrative Services] Secretary of the
9514 Office of Policy and Management, may enter into agreements with
9515 educational institutions for special training courses for state employees
9516 and may enter into agreements with the federal government or other
9517 state governments for exchange of employees.

9518 Sec. 233. Section 5-266c of the general statutes is repealed and the
9519 following is substituted in lieu thereof (*Effective July 1, 2013*):

9520 The [Commissioner of Administrative Services] Secretary of the
9521 Office of Policy and Management shall issue such regulations as are
9522 necessary and appropriate for administration of sections 5-266a to 5-
9523 266d, inclusive, in accordance with the provisions of chapter 54.

9524 Sec. 234. Section 5-266d of the general statutes is repealed and the
9525 following is substituted in lieu thereof (*Effective July 1, 2013*):

9526 If, upon the complaint of any citizen of the state, the [Commissioner
9527 of Administrative Services] Secretary of the Office of Policy and
9528 Management finds that any employee in the classified service has
9529 violated any provision of sections 5-266a to [5-266d] 5-266a, inclusive,
9530 and this section, said [commissioner] secretary may dismiss such
9531 employee from state service. If [said commissioner] the secretary finds
9532 that the violation does not warrant removal, [he] the secretary may
9533 impose a penalty on such employee of suspension from [his] such

9534 employee's position without pay for not less than thirty days or more
9535 than six months. Any employee aggrieved by any action of the
9536 [commissioner] secretary under the provisions of this section may
9537 appeal as provided in section 5-202.

9538 Sec. 235. Subsection (d) of section 5-272 of the general statutes is
9539 repealed and the following is substituted in lieu thereof (*Effective July*
9540 *1, 2013*):

9541 (d) Nothing herein shall diminish the authority and power of the
9542 Employees' Review Board, the [Department of Administrative
9543 Services] Office of Policy and Management or any state agency
9544 established by statute, charter or special act to establish, conduct and
9545 grade merit examinations and to rate candidates in order of their
9546 relative excellence from which appointments or promotions may be
9547 made to positions in the competitive division of the classified service
9548 of the state served by the [Department of Administrative Services]
9549 Office of Policy and Management. The establishment, conduct and
9550 grading of merit examinations, the rating of candidates and the
9551 establishment of lists from such examinations and the appointments
9552 from such lists shall not be subject to collective bargaining.

9553 Sec. 236. Section 10a-20 of the general statutes is repealed and the
9554 following is substituted in lieu thereof (*Effective July 1, 2013*):

9555 Notwithstanding the provisions of any general statute or special act
9556 to the contrary, the selection, appointment, assignment of duties,
9557 amount of compensation, sick leave, vacation, leaves of absence,
9558 termination of service, rank and status of the individual members of
9559 the respective professional staffs of the system of higher education
9560 shall be under the sole jurisdiction of the respective boards of trustees
9561 within available funds. Each constituent board shall annually submit
9562 to the [Commissioner of Administrative Services] Secretary of the
9563 Office of Policy and Management a list of the positions which it has
9564 included within the professional staff.

9565 Sec. 237. Section 10a-108 of the general statutes is repealed and the
9566 following is substituted in lieu thereof (*Effective July 1, 2013*):

9567 The board of trustees shall appoint a president of the university.
9568 Said president shall be the chief executive and administrative officer of
9569 the university and of the board of trustees. Said president shall carry
9570 out the policies and enforce the rules adopted by the board of trustees
9571 and shall have the authority necessary therefor. The board of trustees
9572 may employ the faculty and other personnel needed to operate and
9573 maintain the institutions under its jurisdiction. Within the limitation of
9574 appropriations, the board of trustees shall fix the compensation of such
9575 personnel, establish terms and conditions of employment and
9576 prescribe their duties and qualifications. Said board shall determine
9577 who constitutes its professional staff and establish compensation and
9578 classification schedules for its professional staff. The board shall
9579 annually submit to the [Commissioner of Administrative Services]
9580 Secretary of the Office of Policy and Management a list of the positions
9581 which it has included within the professional staff.

9582 Sec. 238. Subsection (e) of section 12-802 of the general statutes is
9583 repealed and the following is substituted in lieu thereof (*Effective July*
9584 *1, 2013*):

9585 (e) The Connecticut Lottery Corporation shall be a successor
9586 employer to the state and shall recognize existing bargaining units and
9587 collective bargaining agreements existing at the time of transfer of the
9588 lottery to the corporation. The employees of the corporation shall be
9589 considered state employees under the provisions of sections 5-270 to 5-
9590 280, inclusive. The corporation shall not be required to comply with
9591 personnel policies and procedures of the [Department of
9592 Administrative Services and the] Office of Policy and Management
9593 with regard to approval for the creation of new positions, the number
9594 of such positions, the decision to fill such positions or the time for
9595 filling such positions. The corporation, not the executive branch, shall
9596 have the power to determine whether an individual is qualified to fill a

9597 vacancy at the corporation. Nonmanagerial employees of the
9598 corporation shall be members of the classified service. Managerial
9599 employees shall be exempt from the classified service. The corporation
9600 shall have the ability to determine the qualifications and set the terms
9601 and conditions of employment of managerial employees including the
9602 establishment of incentive plans.

9603 Sec. 239. Subsection (b) of section 13a-95c of the general statutes is
9604 repealed and the following is substituted in lieu thereof (*Effective July*
9605 *1, 2013*):

9606 (b) (1) After the first two projects performed with contracts
9607 authorized pursuant to section 13a-95b, the Commissioner of
9608 Transportation shall perform all development and inspection work, as
9609 described in subsection (a) of this section, using department
9610 employees. The [Commissioner of Administrative Services] Secretary
9611 of the Office of Policy and Management shall place the positions
9612 required for this work on continuous recruitment pursuant to the
9613 provisions of section 5-216, as amended by this act. In addition,
9614 employees may be appointed to durational positions to reduce the
9615 need for inspection or development work to be performed by
9616 consultants. Such employees may be appointed as engineers if they
9617 have met the education, knowledge and training requirements
9618 required by the [Department of Administrative Services] Office of
9619 Policy and Management job classification to durational positions
9620 without examination to reduce the need for inspection or development
9621 work to be performed by consultants. Any contract entered into with a
9622 consultant for the initial project bid in accordance with section 13a-95b
9623 shall contain a provision that provides for training the employees of
9624 the Department of Transportation in the process for bidding and
9625 managing projects entered into in accordance with section 13a-95b.

9626 (2) Notwithstanding the provisions of subdivision (1) of this
9627 subsection, there shall be a transition period during which the
9628 Commissioner of Transportation may authorize the continued use of

9629 consultants if necessary to complete contracts authorized pursuant to
9630 section 13a-95b. During this period, the commissioner shall make all
9631 reasonable efforts to perform development and inspection work as
9632 described in subsection (a) of this section using, where such employees
9633 are available, department employees and reducing, and where possible
9634 eliminating, the dependency on outside consultants. The authority
9635 granted by this subsection to use consultants on contracts entered into
9636 pursuant to section 13a-95b shall be subject to a termination date
9637 which shall be the earlier of (A) the date that the Governor transmits to
9638 the joint standing committee of the General Assembly having
9639 cognizance of matters relating to transportation a letter certifying that
9640 the use of consultants is no longer necessary to complete projects
9641 authorized pursuant to section 13a-95b, or (B) January 1, 2019. This
9642 authority shall not continue beyond such termination date unless
9643 affirmatively reauthorized by the action of both houses of the General
9644 Assembly.

9645 Sec. 240. Section 15-2 of the general statutes is repealed and the
9646 following is substituted in lieu thereof (*Effective July 1, 2013*):

9647 Harbor masters shall receive a salary to be determined by the
9648 [Commissioner of Administrative Services] Secretary of the Office of
9649 Policy and Management, subject to the provisions of section 4-40, as
9650 amended by this act, and shall be reimbursed for necessary expenses
9651 incurred in the performance of their duties.

9652 Sec. 241. Subsection (a) of section 15-120mm of the general statutes
9653 is repealed and the following is substituted in lieu thereof (*Effective July*
9654 *1, 2013*):

9655 (a) The authority shall be a successor employer to the state and shall
9656 recognize existing bargaining units and collective bargaining
9657 agreements existing at the time of transfer of Bradley and the general
9658 aviation airports to the authority. The employees of the authority shall
9659 be considered state employees under the provisions of sections 5-270

9660 to 5-280, inclusive. Managerial employees and other employees not
9661 covered by a collective bargaining agreement shall be exempt from the
9662 classified service. With regard to unclassified positions, the authority
9663 shall not be required to comply with personnel policies and
9664 procedures of [the Department of Administrative Services and] the
9665 Office of Policy and Management with regard to approval for the
9666 creation of new positions, the number of such positions, the decision to
9667 fill such positions or the time for filling such positions. The authority,
9668 not the executive branch, shall have the power to determine whether
9669 an individual is qualified to fill an unclassified position at the
9670 authority. Employees of the authority covered by a collective
9671 bargaining agreement shall be members of the classified service. The
9672 authority shall establish classifications and determine the
9673 qualifications and set the terms and conditions of employment of
9674 employees not covered by a collective bargaining agreement, including
9675 the establishment of compensation and incentive plans.

9676 Sec. 242. Subsection (d) of section 16-2 of the general statutes is
9677 repealed and the following is substituted in lieu thereof (*Effective July*
9678 *1, 2013*):

9679 (d) The directors of the authority shall serve full time and shall
9680 make full public disclosure of their assets, liabilities and income at the
9681 time of their appointment, and thereafter each member of the authority
9682 shall make such disclosure on or before July thirtieth of each year of
9683 such member's term, and shall file such disclosure with the office of
9684 the Secretary of the State. Each director shall receive annually a salary
9685 equal to that established for management pay plan salary group
9686 seventy-five by the [Commissioner of Administrative Services]
9687 Secretary of the Office of Policy and Management, except that the
9688 chairperson shall receive annually a salary equal to that established for
9689 management pay plan salary group seventy-seven.

9690 Sec. 243. Subsections (c) and (d) of section 16-2a of the general
9691 statutes are repealed and the following is substituted in lieu thereof

9692 (Effective July 1, 2013):

9693 (c) The Office of Consumer Counsel shall be under the direction of a
9694 Consumer Counsel, who shall be appointed by the Governor with the
9695 advice and consent of either house of the General Assembly. The
9696 Consumer Counsel shall be an elector of this state and shall have
9697 demonstrated a strong commitment and involvement in efforts to
9698 safeguard the rights of the public. The Consumer Counsel shall serve
9699 for a term of five years unless removed pursuant to section 16-5. The
9700 salary of the Consumer Counsel shall be equal to that established for
9701 management pay plan salary group seventy-one by the [Commissioner
9702 of Administrative Services] Secretary of the Office of Policy and
9703 Management. No Consumer Counsel shall, for a period of one year
9704 following the termination of service as Consumer Counsel, accept
9705 employment by a public service company, a certified
9706 telecommunications provider or an electric supplier. No Consumer
9707 Counsel who is also an attorney shall in any capacity, appear or
9708 participate in any matter, or accept any compensation regarding a
9709 matter, before the Public Utilities Regulatory Authority, for a period of
9710 one year following the termination of service as Consumer Counsel.

9711 (d) The Consumer Counsel shall hire such staff as necessary to
9712 perform the duties of said Office of Consumer Counsel and may
9713 employ from time to time outside consultants knowledgeable in the
9714 utility regulation field including, but not limited to, economists, capital
9715 cost experts and rate design experts. The salaries and qualifications of
9716 the individuals so hired shall be determined by the [Commissioner of
9717 Administrative Services] Secretary of the Office of Policy and
9718 Management pursuant to section 4-40, as amended by this act.

9719 Sec. 244. Subsection (b) of section 17b-650a of the general statutes is
9720 repealed and the following is substituted in lieu thereof (Effective July
9721 1, 2013):

9722 (b) The department head shall be the Commissioner of

9723 Rehabilitation Services, who shall be appointed by the Governor in
9724 accordance with the provisions of sections 4-5 to 4-8, inclusive, and
9725 shall have the powers and duties described in said sections. The
9726 Commissioner of Rehabilitation Services shall appoint such persons as
9727 may be necessary to administer the provisions of public act 11-44 and
9728 the [Commissioner of Administrative Services] Secretary of the Office
9729 of Policy and Management shall fix the compensation of such persons
9730 in accordance with the provisions of section 4-40, as amended by this
9731 act. The commissioner may create such sections within said
9732 department as will facilitate such administration, including a disability
9733 determinations section for which one hundred per cent federal funds
9734 may be accepted for the operation of such section in conformity with
9735 applicable state and federal regulations.

9736 Sec. 245. Section 17b-739 of the general statutes is repealed and the
9737 following is substituted in lieu thereof (*Effective July 1, 2013*):

9738 Whenever the state (1) constructs, acquires or receives as a gift any
9739 office building which accommodates three hundred or more state
9740 employees, or (2) alters, repairs or makes additions to an existing state
9741 building which accommodates three hundred or more employees and
9742 such alterations, repairs or additions affect at least twenty-five per cent
9743 of the square footage of such building, the Department of Construction
9744 Services shall notify the Department of Social Services. The
9745 Department of Social Services, with the assistance of the [Department
9746 of Administrative Services] Office of Policy and Management, shall
9747 determine the need for child care services for the employees in such
9748 building and other potential participants. If a demonstrated need for
9749 child care exists for thirty or more children of such employees and
9750 other potential participants and such care is unavailable, the
9751 Department of Construction Services shall set aside adequate space for
9752 child care facilities in such building. If openings occur for other
9753 potential participants in such a child care facility, priority for such
9754 openings shall be given to families at or below seventy-five per cent of
9755 the state's median income. Such facilities shall meet all state licensure

9756 requirements. The provisions of this section shall not apply to
9757 correctional institutions.

9758 Sec. 246. Subsection (a) of section 18-85 of the general statutes is
9759 repealed and the following is substituted in lieu thereof (*Effective July*
9760 *1, 2013*):

9761 (a) The Commissioner of Correction, after consultation with the
9762 [Commissioner of Administrative Services and the] Secretary of the
9763 Office of Policy and Management, shall establish a schedule of
9764 compensation for services performed on behalf of the state by inmates
9765 of any institution or facility of the department. Such schedule shall
9766 recognize degrees of merit, diligence and skill in order to encourage
9767 inmate incentive and industry.

9768 Sec. 247. Subsection (d) of section 19a-32g of the general statutes is
9769 repealed and the following is substituted in lieu thereof (*Effective July*
9770 *1, 2013*):

9771 (d) Peer review committee members may receive compensation
9772 from the Stem Cell Research Fund, established pursuant to section 19a-
9773 32e, for reviewing grant-in-aid applications submitted by eligible
9774 institutions pursuant to subsection (c) of this section. The rate of
9775 compensation shall be established by the Commissioner of Public
9776 Health in consultation with the [Department of Administrative
9777 Services and the] Office of Policy and Management.

9778 Sec. 248. Section 19a-186a of the general statutes is repealed and the
9779 following is substituted in lieu thereof (*Effective July 1, 2013*):

9780 Any individual employed on June 30, 2010, as a regional emergency
9781 medical services coordinator or as an assistant regional emergency
9782 medical services coordinator shall be offered an unclassified durational
9783 position within the Department of Public Health for the period from
9784 July 1, 2010, to June 30, 2011, inclusive, provided no more than five
9785 unclassified durational positions shall be created. Within available

9786 appropriations, such unclassified durational positions may be
9787 extended beyond June 30, 2011. The [Commissioner of Administrative
9788 Services] Secretary of the Office of Policy and Management shall
9789 establish job classifications and salaries for such positions in
9790 accordance with the provisions of section 4-40, as amended by this act.
9791 Any such created positions shall be exempt from collective bargaining
9792 requirements and no individual appointed to such position shall have
9793 reemployment or any other rights that may have been extended to
9794 unclassified employees under a State Employees' Bargaining Agent
9795 Coalition agreement. Individuals employed in such unclassified
9796 durational positions shall be located at the offices of the Department of
9797 Public Health. In no event shall an individual employed in an
9798 unclassified durational position pursuant to this section receive credit
9799 for any purpose for services performed prior to July 1, 2010.

9800 Sec. 249. Section 19a-404 of the general statutes is repealed and the
9801 following is substituted in lieu thereof (*Effective July 1, 2013*):

9802 The Chief Medical Examiner shall be a citizen of the United States
9803 and a doctor of medicine licensed to practice medicine in Connecticut
9804 and shall have had a minimum of four years postgraduate training in
9805 pathology and such additional subsequent experience in forensic
9806 pathology as the commission may determine, provided any person
9807 otherwise qualified who is not licensed to so practice may be
9808 appointed Chief Medical Examiner, provided he or she obtains such a
9809 license within one year of his or her appointment. The Commission on
9810 Medicolegal Investigations shall submit recommendations concerning
9811 the Chief Medical Examiner's salary and annual increments to such
9812 salary to the [Commissioner of Administrative Services] Secretary of
9813 the Office of Policy and Management for review and approval
9814 pursuant to section 4-40, as amended by this act. The Chief Medical
9815 Examiner's term of office shall be fixed by the commission and the
9816 Chief Medical Examiner may be removed by the commission only for
9817 cause. Under the direction of the commission, the Chief Medical
9818 Examiner shall prepare for transmission to the Secretary of the Office

9819 of Policy and Management as required by law estimates of expenditure
9820 requirements. The Chief Medical Examiner shall account to the State
9821 Treasurer for all fees and moneys received and expended by him or
9822 her by virtue of his or her office. The Chief Medical Examiner may as
9823 part of his or her duties teach medical and law school classes, conduct
9824 special classes for police investigators and engage in other activities
9825 related to the work of the office to such extent and on such terms as
9826 may be authorized by the commission.

9827 Sec. 250. Section 19a-405 of the general statutes is repealed and the
9828 following is substituted in lieu thereof (*Effective July 1, 2013*):

9829 The Chief Medical Examiner, with the approval of the Commission
9830 on Medicolegal Investigations, shall appoint a deputy who shall
9831 perform all the duties of the Chief Medical Examiner in case of his or
9832 her sickness or absence and such associate medical examiners,
9833 assistant medical examiners, pathologists, toxicologists, laboratory
9834 technicians and other professional staff as the commission may specify.
9835 The commission in advance of appointments shall specify the
9836 qualifications required for each position in terms of education,
9837 experience and other relevant considerations. The commission shall
9838 submit recommendations concerning (1) the Deputy Chief Medical
9839 Examiner's salary and annual increments to such salary, and (2) the
9840 salaries and compensation of other professional staff to the
9841 [Commissioner of Administrative Services] Secretary of the Office of
9842 Policy and Management for review and approval pursuant to section
9843 4-40, as amended by this act. The Chief Medical Examiner, the Deputy
9844 Chief Medical Examiner, associate medical examiners, and assistant
9845 medical examiners shall take the oath provided by law for public
9846 officers. Other staff members as determined by the commission shall
9847 be appointed by the Chief Medical Examiner, subject to the provisions
9848 of chapter 67 and the rules of the commission not inconsistent
9849 therewith.

9850 Sec. 251. Subsection (b) of section 22-81 of the general statutes is

9851 repealed and the following is substituted in lieu thereof (*Effective July*
9852 *1, 2013*):

9853 (b) Notwithstanding the provisions of any general statute or special
9854 act to the contrary, the selection, appointment, assignment of duties,
9855 amount of compensation, sick leave, vacation, leaves of absence,
9856 termination of service, rank and status of the individual members of
9857 the station staff shall be under the sole jurisdiction of the board of
9858 control of the station within available funds. Said board shall
9859 determine who constitutes the professional staff of the station and
9860 shall establish a compensation and classification schedule for the
9861 professional staff. Said board shall annually submit to the
9862 [Commissioner of Administrative Services] Secretary of the Office of
9863 Policy and Management a list of the positions which it has included
9864 within the professional staff.

9865 Sec. 252. Section 23-39 of the general statutes is repealed and the
9866 following is substituted in lieu thereof (*Effective July 1, 2013*):

9867 The compensation of district and deputy fire wardens, trained
9868 firefighters organized in accordance with rules issued by the State
9869 Forest Fire Warden and such laborers as said warden finds it necessary
9870 to employ shall be fixed by said warden on an hourly basis, subject to
9871 the approval of the [Commissioner of Administrative Services]
9872 Secretary of the Office of Policy and Management. Volunteer fire
9873 companies may be compensated in accordance with section 23-36. The
9874 chief of the fire department in any town, city or borough who receives
9875 a regular salary shall be paid no additional compensation when acting
9876 as a fire warden. District fire wardens shall prepare their bills for
9877 services rendered by them and by the personnel and automobiles and
9878 other apparatus employed or used by them in extinguishing fires. The
9879 chief of any volunteer fire company may prepare bills for services
9880 rendered by said company and by the personnel and automobiles and
9881 other apparatus employed or used by them in extinguishing forest
9882 fires, if said company is allowed by town ordinance to receive

9883 payment for such bills. Such bills shall be on a form prescribed by the
9884 State Forest Warden and shall be submitted to the State Forest Fire
9885 Warden within one month after the services have been rendered, and,
9886 if found correct and approved by said warden, shall be ordered paid
9887 by the State Comptroller. A copy of each bill so paid on account of any
9888 fire within a city, as provided in section 23-36, shall be sent by the State
9889 Forest Fire Warden to the city treasurer of the city in which the fire
9890 occurred, except bills for which a railroad company is liable under the
9891 provisions of section 23-42, and, on or before the tenth day of
9892 December in each year, such city treasurer shall draw the treasurer's
9893 order in favor of the State Treasurer for the full amount of such bills
9894 submitted during the twelve months next preceding. The State Forest
9895 Fire Warden may forgive such bills if the state would incur
9896 administrative costs in collecting the debt owed that would exceed the
9897 actual debt owed. Bills for expenses incurred or services rendered by
9898 district or deputy wardens in the performance of duties other than fire
9899 fighting shall be submitted to the State Forest Fire Warden on or before
9900 the tenth day of December and the tenth day of June in each year.
9901 Upon approval by the State Forest Fire Warden, such bills shall be
9902 ordered paid by the State Comptroller from any sums available for the
9903 expenses of the State Forest Fire Warden. All fire warden bills
9904 authorized by sections 23-37, 23-38, 23-40 to 23-42, inclusive, and this
9905 section shall show in detail the amount and character of the services
9906 performed, the exact duration thereof and all disbursements made by
9907 such wardens.

9908 Sec. 253. Subsection (b) of section 28-6 of the general statutes is
9909 repealed and the following is substituted in lieu thereof (*Effective July*
9910 *1, 2013*):

9911 (b) Personnel of such civil preparedness units or forces, while
9912 engaged in officially authorized civil preparedness duty under this
9913 section, shall: (1) If they are employees of the state, have the powers,
9914 duties, rights, privileges and immunities and receive the compensation
9915 incident to their employment; (2) if they are employees of a political

9916 subdivision of the state, and whether serving within or without such
9917 political subdivision, have the powers, duties, rights, privileges and
9918 immunities and receive the compensation incident to their
9919 employment; and (3) if they are not employees of the state or a political
9920 subdivision thereof, be entitled to such compensation from the state as
9921 is determined by the [Commissioner of Administrative Services]
9922 Secretary of the Office of Policy and Management under the provisions
9923 of section 4-40, as amended by this act, and to the same rights and
9924 immunities as are provided by law for the employees of this state,
9925 provided in no instance shall such compensation be determined at a
9926 rate less than the minimum wage as determined by the Labor
9927 Commissioner. All personnel of mobile support units shall, while on
9928 duty, be subject to the operational control of the authority in charge of
9929 civil preparedness activities in the area in which they are serving.

9930 Sec. 254. Subsection (e) of section 29-4 of the general statutes is
9931 repealed and the following is substituted in lieu thereof (*Effective July*
9932 *1, 2013*):

9933 (e) Salaries of the members of the Division of State Police within the
9934 Department of Emergency Services and Public Protection shall be fixed
9935 by the [Commissioner of Administrative Services] Secretary of the
9936 Office of Policy and Management as provided in section 4-40, as
9937 amended by this act. State police personnel may be promoted,
9938 demoted, suspended or removed by the commissioner, but no final
9939 dismissal from the service shall be ordered until a hearing has been
9940 had before [said commissioner] the Commissioner of Emergency
9941 Services and Public Protection on charges preferred against such
9942 officer. Each state police officer shall, before entering upon such
9943 officer's duties, be sworn to the faithful performance of such duties.
9944 The Commissioner of Emergency Services and Public Protection shall
9945 designate an adequate patrol force for motor patrol work exclusively.

9946 Sec. 255. Section 31-103 of the general statutes is repealed and the
9947 following is substituted in lieu thereof (*Effective July 1, 2013*):

9948 (a) The board shall, on or before July 1, 1973, and quadrennially
9949 thereafter, appoint an agent, who shall be the representative of the
9950 board, for a term of four years at an annual salary to be set by the
9951 board, subject to the approval of [the Commissioner of Administrative
9952 Services and] the Secretary of the Office of Policy and Management in
9953 accordance with the provisions of section 4-40, as amended by this act.
9954 Said agent may be removed by the board for cause shown in public
9955 hearing, after the agent has been given a copy of the charges made and
9956 has had an opportunity to answer such charges. The board may fill any
9957 vacancy in this office by appointment for the unexpired term. Said
9958 agent shall diligently investigate any complaints referred to him by the
9959 board and any other violations of this chapter that come to his
9960 attention. If the agent finds reasonable ground for any complaint or
9961 considers that there has been a violation of this chapter, he shall issue,
9962 and cause to be served upon the person complained of, a petition
9963 stating the charges and containing a notice of a hearing before the
9964 board at the time and place therein fixed, to be held not less than seven
9965 days after the service of such complaint. If the agent considers that
9966 there has been no violation of this chapter, he shall report in writing to
9967 the board, stating fully his reasons and recommendations. In any civil
9968 or criminal case, any preliminary proceeding to such case, or any
9969 legislative or administrative proceeding, the agent or assistant agent
9970 shall not disclose any confidential communication made to him in the
9971 course of his duties under any of the statutes administered by the
9972 board, unless the party making such communication waives such
9973 privilege.

9974 (b) There shall be established the full-time position of legal counsel
9975 for the State Board of Labor Relations. On or before October 1, 1977,
9976 and quadrennially thereafter, the board shall appoint said counsel for a
9977 term of four years, at an annual salary to be set by the board subject to
9978 the approval of [the Commissioner of Administrative Services and] the
9979 Secretary of the Office of Policy and Management in accordance with
9980 the provisions of section 4-40, as amended by this act. Said counsel

9981 may be removed by the board for cause shown in public hearing, after
9982 said counsel has been given a copy of the charges made and has an
9983 opportunity to answer such charges. The board may fill any vacancy in
9984 this office by appointment for the unexpired term. Notwithstanding
9985 the provisions of section 3-125, said counsel shall represent the State
9986 Board of Labor Relations in court on all matters in which the board is a
9987 party or is interested, or in which the official acts or doings of said
9988 board are called in question, investigate legal questions for the board,
9989 and aid in the preparation of decisions. Said counsel shall also
9990 represent the State Board of Mediation and Arbitration in all matters
9991 involving collective bargaining rights of state employees. The board
9992 shall designate the agent appointed under subsection (a) of this section
9993 or any assistant agent who is an attorney to serve as assistant counsel
9994 as it deems necessary.

9995 Sec. 256. Subsection (a) of section 31-237c of the general statutes is
9996 repealed and the following is substituted in lieu thereof (*Effective July*
9997 *1, 2013*):

9998 (a) The board shall consist of three members appointed by the
9999 Governor, one of whom shall be designated by the Governor as
10000 chairman of the board of review. Notwithstanding the provisions of
10001 subdivision (4) of section 5-198, as amended by this act, such chairman
10002 shall be in the classified service and shall devote full time to the duties
10003 of his office. Such chairman shall be chosen by the Governor from a list
10004 of names submitted to him by the [Commissioner of Administrative
10005 Services] Secretary of the Office of Policy and Management pursuant
10006 to the provisions of subsection (d) of section 5-228. The other two
10007 members appointed to serve during the appointing Governor's term of
10008 office shall be a representative of employers and a representative of
10009 employees and shall devote full time to the duties of their offices. The
10010 members of the board representing employers and employees shall be
10011 selected as such representatives based upon previous vocation,
10012 employment or affiliation. A member of the board may be removed by
10013 the Governor for cause.

10014 Sec. 257. Subsection (a) of section 31-237e of the general statutes is
10015 repealed and the following is substituted in lieu thereof (*Effective July*
10016 *1, 2013*):

10017 (a) The members of the board, the chief referee and the referees of
10018 the state shall each be paid from the Employment Security
10019 Administration Fund a salary to be determined by the [Commissioner
10020 of Administrative Services] Secretary of the Office of Policy and
10021 Management pursuant to section 4-40, as amended by this act,
10022 provided the chief referee shall receive a salary greater than the salary
10023 paid to a referee and the chairman of the board shall receive a salary
10024 greater than the salary paid to the chief referee. Expenses incurred in
10025 the discharge of their duties of office by the chairman and members of
10026 the board, the chief referee, and the referees shall be reimbursed in
10027 accordance with regulations established for state employees by the
10028 [Commissioner of Administrative Services] Secretary of the Office of
10029 Policy and Management.

10030 Sec. 258. Subsection (a) of section 31-280 of the general statutes is
10031 repealed and the following is substituted in lieu thereof (*Effective July*
10032 *1, 2013*):

10033 (a) There shall continue to be a chairman of the Workers'
10034 Compensation Commission selected by the Governor as provided in
10035 section 31-276. The chairman may not hear any matter arising under
10036 this chapter, except appeals brought before the Compensation Review
10037 Board and except as provided in subdivision (14) of subsection (b) of
10038 this section. The chairman shall prepare the forms used by the
10039 commission, shall have custody of the insurance coverage cards, shall
10040 prepare and keep a list of self-insurers, shall prepare the annual report
10041 to the Governor and shall publish, when necessary, bulletins showing
10042 the changes in the compensation law, with annotations to the
10043 Connecticut cases. The chairman shall be provided with sufficient staff
10044 to assist him in the performance of his duties. The chairman may,
10045 within available appropriations, appoint acting compensation

10046 commissioners on a per diem basis from among former workers'
10047 compensation commissioners or qualified members of the bar of this
10048 state. Any acting compensation commissioner appointed under this
10049 subsection shall be paid on a per diem basis in an amount to be
10050 determined by the [Commissioner of Administrative Services]
10051 Secretary of the Office of Policy and Management, subject to the
10052 provisions of section 4-40, as amended by this act, and shall have all
10053 the powers and duties of compensation commissioners. The Workers'
10054 Compensation Commission shall not be construed to be a commission
10055 or board subject to the provisions of section 4-9a.

10056 Sec. 259. Subsection (a) of section 32-1c of the general statutes is
10057 repealed and the following is substituted in lieu thereof (*Effective July*
10058 *1, 2013*):

10059 (a) In addition to any other powers, duties and responsibilities
10060 provided for in this chapter, chapter 131, chapter 579 and section 4-8
10061 and subsection (a) of section 10-409, the commissioner shall have the
10062 following powers, duties and responsibilities: (1) To administer and
10063 direct the operations of the Department of Economic and Community
10064 Development; (2) to report annually to the Governor, as provided in
10065 section 4-60; (3) to conduct and administer the research and planning
10066 functions necessary to carry out the purposes of said chapters and
10067 sections; (4) to encourage and promote the development of industry
10068 and business in the state and to investigate, study and undertake ways
10069 and means of promoting and encouraging the prosperous
10070 development and protection of the legitimate interest and welfare of
10071 Connecticut business, industry and commerce, within and outside the
10072 state; (5) to serve, ex officio as a director on the board of Connecticut
10073 Innovations, Incorporated; (6) to serve as a member of the Committee
10074 of Concern for Connecticut Jobs; (7) to promote and encourage the
10075 location and development of new business in the state as well as the
10076 maintenance and expansion of existing business and for that purpose
10077 to cooperate with state and local agencies and individuals both within
10078 and outside the state; (8) to plan and conduct a program of information

10079 and publicity designed to attract tourists, visitors and other interested
10080 persons from outside the state to this state and also to encourage and
10081 coordinate the efforts of other public and private organizations or
10082 groups of citizens to publicize the facilities and attractions of the state
10083 for the same purposes; (9) to advise and cooperate with municipalities,
10084 persons and local planning agencies within the state for the purpose of
10085 promoting coordination between the state and such municipalities as
10086 to plans and development; (10) by reallocating funding from other
10087 agency accounts or programs, to assign adequate and available staff to
10088 provide technical assistance to businesses in the state in exporting,
10089 manufacturing and cluster-based initiatives and to provide guidance
10090 and advice on regulatory matters; (11) to aid minority businesses in
10091 their development; (12) to appoint such assistants, experts, technicians
10092 and clerical staff, subject to the provisions of chapter 67, as are
10093 necessary to carry out the purposes of said chapters and sections; (13)
10094 to employ other consultants and assistants on a contract or other basis
10095 for rendering financial, technical or other assistance and advice; (14) to
10096 acquire or lease facilities located outside the state subject to the
10097 provisions of section 4b-23; (15) to advise and inform municipal
10098 officials concerning economic development and collect and
10099 disseminate information pertaining thereto, including information
10100 about federal, state and private assistance programs and services
10101 pertaining thereto; (16) to inquire into the utilization of state
10102 government resources and coordinate federal and state activities for
10103 assistance in and solution of problems of economic development and
10104 to inform and advise the Governor about and propose legislation
10105 concerning such problems; (17) to conduct, encourage and maintain
10106 research and studies relating to industrial and commercial
10107 development; (18) to prepare and review model ordinances and
10108 charters relating to these areas; (19) to maintain an inventory of data
10109 and information and act as a clearinghouse and referral agency for
10110 information on state and federal programs and services relative to the
10111 purpose set forth herein. The inventory shall include information on all
10112 federal programs of financial assistance for defense conversion projects

10113 and other projects consistent with a defense conversion strategy and
10114 shall identify businesses which would be eligible for such assistance
10115 and provide notification to such business of such programs; (20) to
10116 conduct, encourage and maintain research and studies and advise
10117 municipal officials about forms of cooperation between public and
10118 private agencies designed to advance economic development; (21) to
10119 promote and assist the formation of municipal and other agencies
10120 appropriate to the purposes of this chapter; (22) to require notice of the
10121 submission of all applications by municipalities and any agency
10122 thereof for federal and state financial assistance for economic
10123 development programs as relate to the purposes of this chapter; (23)
10124 with the approval of the [Commissioner of Administrative Services]
10125 Secretary of the Office of Policy and Management, to reimburse any
10126 employee of the department, including the commissioner, for
10127 reasonable business expenses, including but not limited to, mileage,
10128 travel, lodging, and entertainment of business prospects and other
10129 persons to the extent necessary or advisable to carry out the purposes
10130 of subdivisions (4), (7), (8) and (11) of this subsection and other
10131 provisions of this chapter; (24) to assist in resolving solid waste
10132 management issues; (25) (A) to serve as an information clearinghouse
10133 for various public and private programs available to assist businesses,
10134 (B) to identify specific micro businesses, as defined in section 32-344,
10135 whose growth and success could benefit from state or private
10136 assistance and contact such small businesses in order to (i) identify
10137 their needs, (ii) provide information about public and private
10138 programs for meeting such needs, including, but not limited to,
10139 technical assistance, job training and financial assistance, and (iii)
10140 arrange for the provision of such assistance to such businesses; (26) to
10141 enhance and promote the digital media and motion picture industries
10142 in the state; (27) by reallocating funding from other agency accounts or
10143 programs, to develop a marketing campaign that promotes
10144 Connecticut as a place of innovation; and (28) by reallocating funding
10145 from other agency accounts or programs, to execute the steps
10146 necessary to implement the knowledge corridor agreement with

10147 Massachusetts to promote the biomedical device industry.

10148 Sec. 260. Subsections (b) and (c) of section 46a-52 of the general
10149 statutes are repealed and the following is substituted in lieu thereof
10150 (*Effective July 1, 2013*):

10151 (b) Except as provided in section 46a-57, the members of the
10152 commission shall serve without pay, but their reasonable expenses,
10153 including educational training expenses and expenses for necessary
10154 stenographic and clerical help, shall be paid by the state upon
10155 approval of the [Commissioner of Administrative Services] Secretary
10156 of the Office of Policy and Management. Not later than two months
10157 after appointment to the commission, each member of the commission
10158 shall receive a minimum of ten hours of introductory training prior to
10159 voting on any commission matter. Each year following such
10160 introductory training, each member shall receive five hours of follow-
10161 up training. Such introductory and follow-up training shall consist of
10162 instruction on the laws governing discrimination in employment,
10163 housing, public accommodation and credit, affirmative action and the
10164 procedures of the commission. Such training shall be organized by the
10165 managing director of the legal division of the commission. Any
10166 member who fails to complete such training shall not vote on any
10167 commission matter. Any member who fails to comply with such
10168 introductory training requirement within six months of appointment
10169 shall be deemed to have resigned from office. Any member who fails
10170 to attend three consecutive meetings or who fails to attend fifty per
10171 cent of all meetings held during any calendar year shall be deemed to
10172 have resigned from office.

10173 (c) On or before July 15, 1989, the commission shall appoint an
10174 executive director who shall be the chief executive officer of the
10175 Commission on Human Rights and Opportunities to serve for a term
10176 expiring on July 14, 1990. Upon the expiration of such term and
10177 thereafter, the executive director shall be appointed for a term of four
10178 years. The executive director shall be supervised and annually

10179 evaluated by the commission. The executive director shall serve at the
10180 pleasure of the commission but no longer than four years from July
10181 fifteenth in the year of his or her appointment unless reappointed
10182 pursuant to the provisions of this subsection. The executive director
10183 shall receive an annual salary within the salary range of a salary group
10184 established by the [Commissioner of Administrative Services]
10185 Secretary of the Office of Policy and Management for the position. The
10186 executive director (1) shall conduct comprehensive planning with
10187 respect to the functions of the commission; (2) shall coordinate the
10188 activities of the commission; and (3) shall cause the administrative
10189 organization of the commission to be examined with a view to
10190 promoting economy and efficiency. In accordance with established
10191 procedures, the executive director may enter into such contractual
10192 agreements as may be necessary for the discharge of the director's
10193 duties.

10194 Sec. 261. Section 46a-68a of the general statutes is repealed and the
10195 following is substituted in lieu thereof (*Effective July 1, 2013*):

10196 (a) The commission may issue a certificate of noncompliance if the
10197 affirmative action plan required by section 46a-68 is disapproved.

10198 (b) The issuance of a certificate of noncompliance shall bar the
10199 agency, department, board or commission in noncompliance with
10200 section 46a-68 from filling a position or position classification by hire
10201 or promotion upon receipt of the certificate, the provisions of any state
10202 law or regulation to the contrary notwithstanding, until: (1) The
10203 commission determines that the agency has achieved compliance with
10204 section 46a-68 and withdraws the certificate; or (2) the commission, at a
10205 hearing requested by the agency, department, board or commission
10206 receiving the certificate and conducted by a presiding officer
10207 appointed by the chairperson of the commission, is unable to show
10208 cause why the certificate of noncompliance should not be rescinded or
10209 a court, upon appeal, so determines; or (3) the [Commissioner of
10210 Administrative Services and the] Secretary of the Office of Policy and

10211 Management [~~certify~~] certifies to the commission that the agency in
10212 noncompliance with section 46a-68 requires immediate filling of the
10213 vacancy because failure to fill the position or position classification will
10214 cause an emergency situation to exist jeopardizing the public welfare.
10215 A separate certificate of exemption shall be required for each vacancy
10216 in a position or position classification with respect to which the
10217 [Commissioner of Administrative Services and the] Secretary of the
10218 Office of Policy and Management [~~certify~~] certifies that an emergency
10219 situation exists.

10220 (c) Hearings under this section shall be conducted in accordance
10221 with sections 4-176e to 4-182, inclusive.

10222 (d) The commission shall adopt regulations in accordance with
10223 chapter 54 to implement this section.

10224 Sec. 262. Subsection (d) of section 46a-70 of the general statutes is
10225 repealed and the following is substituted in lieu thereof (*Effective July*
10226 *1, 2013*):

10227 (d) The [Commissioner of Administrative Services] Secretary of the
10228 Office of Policy and Management shall insure that the entire
10229 examination process, including qualifications appraisal, is free from
10230 bias.

10231 Sec. 263. Subsection (d) of section 46a-81h of the general statutes is
10232 repealed and the following is substituted in lieu thereof (*Effective July*
10233 *1, 2013*):

10234 (d) The [Commissioner of Administrative Services] Secretary of the
10235 Office of Policy and Management shall insure that the entire
10236 examination process, including qualifications appraisal, is free from
10237 bias.

10238 Sec. 264. Subdivision (2) of subsection (b) of section 51-278 of the
10239 general statutes is repealed and the following is substituted in lieu

10240 thereof (*Effective July 1, 2013*):

10241 (2) On and after July 1, 1985, the Chief State's Attorney, deputy chief
10242 state's attorneys, state's attorneys, assistant state's attorneys and
10243 deputy assistant state's attorneys shall receive salaries in accordance
10244 with a compensation plan approved by the [Department of
10245 Administrative Services] Office of Policy and Management.

10246 Sec. 265. Subsection (a) of section 51-279 of the general statutes is
10247 repealed and the following is substituted in lieu thereof (*Effective July*
10248 *1, 2013*):

10249 (a) The Chief State's Attorney, with the advice of the Division of
10250 Criminal Justice Advisory Board under section 51-279a, shall
10251 administer, direct, supervise, coordinate and control the operations,
10252 activities and programs of the division as it shall apply to the Superior
10253 Court. He shall: (1) Establish such bureaus, divisions, facilities and
10254 offices, including an appellate unit, a racketeering and continuing
10255 criminal activities unit and a bond forfeiture unit, and select such
10256 professional, technical and other personnel, including chief inspectors,
10257 as he deems reasonably necessary for the efficient operation and
10258 discharge of the duties of the division, subject to the personnel policies
10259 and compensation plan established by the Department of
10260 Administrative Services; (2) adopt and enforce rules and regulations to
10261 carry out the purposes of this chapter; (3) establish guidelines, policies
10262 and procedures for the internal operation and administration of the
10263 division which shall be binding on all division personnel; (4) enter into
10264 contracts with consultants and such other persons as are necessary for
10265 the proper functioning of the office; (5) engage in long-range planning
10266 and review policy and legislation concerning the administration of
10267 criminal justice in the state and recommend needed changes and
10268 additions thereto; (6) collect statistical data concerning administration
10269 of criminal justice in the state and furnish the data to the appropriate
10270 committee of the General Assembly; (7) conduct research and evaluate
10271 programs within his office; (8) establish staff development, training

10272 and education programs designed to improve the quality of the
10273 division's services and programs; (9) coordinate the activities of the
10274 division with those of such other state, municipal, regional, federal and
10275 private agencies as are concerned with the administration of criminal
10276 justice; (10) be authorized to receive and administer funds from the
10277 federal government or any charitable foundation to assist in the
10278 operations of the division; (11) supervise, approve and issue all orders
10279 concerning all purchases of commodities, equipment and services for
10280 the Division of Criminal Justice; (12) supervise the administrative
10281 methods and systems employed in the Division of Criminal Justice;
10282 (13) submit to the [Department of Administrative Services] Office of
10283 Policy and Management for its approval a compensation plan for all
10284 employees of the division, which plan may include sick leave, vacation
10285 leave, absences without pay, longevity payments, increments and all
10286 other matters regarding personnel policies and procedures; (14)
10287 establish with the approval of the [Department of Administrative
10288 Services] Office of Policy and Management such job classifications as
10289 he deems necessary for the operation of the division; (15) audit bills to
10290 be paid from state appropriations for the expenses of the Division of
10291 Criminal Justice; (16) maintain adequate accounting and budgetary
10292 records for all appropriations by the state for the maintenance of the
10293 Division of Criminal Justice and all other appropriations assigned by
10294 the legislature or state budgetary control offices for administration by
10295 the Division of Criminal Justice; (17) serve as payroll officer for the
10296 Division of Criminal Justice; and (18) have such other powers and
10297 duties as are reasonably necessary to administer the division and
10298 implement the purposes of this chapter. He shall prepare and submit
10299 to the Office of Policy and Management estimates of appropriations
10300 necessary for the maintenance of the division and make
10301 recommendations with respect thereto for inclusion as a separate item
10302 in the budget request of the Division of Criminal Justice.

10303 Sec. 266. Subsection (a) of section 52-261 of the general statutes is
10304 repealed and the following is substituted in lieu thereof (*Effective July*

10305 1, 2013):

10306 (a) Except as provided in subsection (b) of this section and section
10307 52-261a, each officer or person who serves process, summons or
10308 attachments shall receive a fee of not more than thirty dollars for each
10309 process served and an additional fee of thirty dollars for the second
10310 and each subsequent service of such process, except that such officer or
10311 person shall receive an additional fee of ten dollars for each
10312 subsequent service of such process at the same address or for
10313 notification of the office of the Attorney General in dissolution and
10314 postjudgment proceedings if a party or child is receiving public
10315 assistance. Each such officer or person shall also receive the fee set by
10316 the [Department of Administrative Services] Office of Policy and
10317 Management for state employees for each mile of travel, to be
10318 computed from the place where such officer or person received the
10319 process to the place of service, and thence in the case of civil process to
10320 the place of return. If more than one process is served on one person at
10321 one time by any such officer or person, the total cost of travel for the
10322 service shall be the same as for the service of one process only. Each
10323 officer or person who serves process shall also receive the moneys
10324 actually paid for town clerk's fees on the service of process. Any officer
10325 or person required to summon jurors by personal service of a warrant
10326 to attend court shall receive for the first ten miles of travel while so
10327 engaged, such mileage to be computed from the place where such
10328 officer or person receives the process to the place of service, twenty-
10329 five cents for each mile, and for each additional mile, ten cents. For
10330 summoning any juror to attend court otherwise than by personal
10331 service of the warrant, such officer or person shall receive only the sum
10332 of fifty cents and actual disbursements necessarily expended by such
10333 officer or person in making service thereof as directed.
10334 Notwithstanding the provisions of this section, for summoning grand
10335 jurors, such officer or person shall receive only such officer's or
10336 person's actual expenses and such reasonable sum for services as are
10337 taxed by the court. The following fees shall be allowed and paid: (1)

10338 For taking bail or bail bond, one dollar; (2) for copies of writs and
10339 complaints, exclusive of endorsements, one dollar per page, not to
10340 exceed a total amount of nine hundred dollars in any particular matter;
10341 (3) for endorsements, forty cents per page or fraction thereof; (4) for
10342 service of a warrant for the seizure of intoxicating liquors, or for
10343 posting and leaving notices after the seizure, or for the destruction or
10344 delivery of any such liquors under order of court, twenty dollars; (5)
10345 for the removal and custody of such liquors so seized, reasonable
10346 expenses, and twenty dollars; (6) for the levy of an execution, when the
10347 money is actually collected and paid over, or the debt or a portion of
10348 the debt is secured by the officer, fifteen per cent on the amount of the
10349 execution, provided the minimum fee for such execution shall be thirty
10350 dollars; (7) on the levy of an execution on real property and on
10351 application for sale of personal property attached, to each appraiser,
10352 for each half day of actual service, reasonable and customary expenses;
10353 (8) for causing an execution levied on real property to be recorded, fees
10354 for travel, twenty dollars and costs; (9) for services on an application
10355 for the sale of personal property attached, or in selling mortgaged
10356 property foreclosed under a decree of court, the same fees as for
10357 similar services on executions; (10) for committing any person to a
10358 community correctional center, in civil actions, twenty-one cents a mile
10359 for travel, from the place of the court to the community correctional
10360 center, in lieu of all other expenses; and (11) for summoning and
10361 attending a jury for reassessing damages or benefits on a highway,
10362 three dollars a day. The court shall tax as costs a reasonable amount for
10363 the care of property held by any officer under attachment or execution.
10364 The officer serving any attachment or execution may claim
10365 compensation for time and expenses of any person, in keeping,
10366 securing or removing property taken thereon, provided such officer
10367 shall make out a bill. The bill shall specify the labor done, and by
10368 whom, the time spent, the travel, the money paid, if any, and to whom
10369 and for what. The compensation for the services shall be reasonable
10370 and customary and the amount of expenses and shall be taxed by the
10371 court with the costs.

10372 Sec. 267. Subsection (c) of section 54-124a of the general statutes is
10373 repealed and the following is substituted in lieu thereof (*Effective July*
10374 *1, 2013*):

10375 (c) The chairperson and five of the members of the board appointed
10376 by the Governor on or after February 1, 2008, to serve on parole release
10377 panels shall devote full time to the performance of their duties under
10378 this section and shall be compensated therefor in such amount as the
10379 [Commissioner of Administrative Services] Secretary of the Office of
10380 Policy and Management determines, subject to the provisions of
10381 section 4-40, as amended by this act. The other members of the board
10382 shall receive one hundred ten dollars for each day spent in the
10383 performance of their duties and shall be reimbursed for necessary
10384 expenses incurred in the performance of such duties. The chairperson
10385 or, in the chairperson's absence or inability to act, a member
10386 designated by the chairperson to serve temporarily as chairperson,
10387 shall be present at all meetings of the board and participate in all
10388 decisions thereof.

10389 Sec. 268. Subsection (d) of section 46a-82 of the general statutes is
10390 repealed and the following is substituted in lieu thereof (*Effective July*
10391 *1, 2013*):

10392 (d) The commission may issue a complaint if: (1) An affirmative
10393 action plan filed pursuant to section 46a-68 is in violation of any of the
10394 provisions of [section 4-61u or 4-61w,] sections 46a-54 to 46a-64,
10395 inclusive, section 46a-64c or sections 46a-70 to 46a-78, inclusive; or (2)
10396 an agency, department, board or commission fails to submit an
10397 affirmative action plan required under section 46a-68.

10398 Sec. 269. Section 4 of public act 12-166 is repealed. (*Effective from*
10399 *passage*)

10400 Sec. 270. Sections 19a-724, 19a-724a and 19a-724b of the general
10401 statutes are repealed. (*Effective from passage*)

10402 Sec. 271. Sections 2-120, 2-121, 2-122, 4-61t, 4-61u, 4-61v, 4-61w, 4-
 10403 124uu, 4b-1c, 4b-102, 5-199c, 5-226f, 5-237b, 5-238b, 10-394, 10-397, 10-
 10404 397a, 10-397b, 17b-420, 27-117, 27-128, 27-138b, 27-138c, 27-138d, 29-1s,
 10405 46a-1, 46a-4, 46a-4b, 46a-5, 46a-68a, 46a-126, 46a-128, 46a-129, 46a-130,
 10406 46a-131, 46a-131a, 46a-131b, 51-344a and subdivision (93) of section 12-
 10407 412 of the general statutes are repealed. (*Effective July 1, 2013*)

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>from passage</i> | 38a-1080 |
| Sec. 2 | <i>from passage</i> | 38a-1081 |
| Sec. 3 | <i>from passage</i> | 38a-1082(a) |
| Sec. 4 | <i>from passage</i> | 38a-1083 |
| Sec. 5 | <i>from passage</i> | 38a-1084 |
| Sec. 6 | <i>from passage</i> | 38a-1088(a) |
| Sec. 7 | <i>from passage</i> | 38a-1089(a) |
| Sec. 8 | <i>from passage</i> | 38a-1090 |
| Sec. 9 | <i>from passage</i> | New section |
| Sec. 10 | <i>from passage</i> | 19a-725 |
| Sec. 11 | <i>from passage</i> | PA 11-53Section 14 |
| Sec. 12 | <i>from passage</i> | 3-123ddd(d) |
| Sec. 13 | <i>from passage</i> | 3-123hhh(b) |
| Sec. 14 | <i>July 1, 2013</i> | 22a-471 |
| Sec. 15 | <i>July 1, 2013</i> | 12-170d |
| Sec. 16 | <i>July 1, 2013</i> | 49-41 |
| Sec. 17 | <i>July 1, 2013</i> | 31-2d |
| Sec. 18 | <i>July 1, 2013</i> | 4b-1b |
| Sec. 19 | <i>July 1, 2013</i> | 4a-1 |
| Sec. 20 | <i>July 1, 2013</i> | 4a-2 |
| Sec. 21 | <i>July 1, 2013</i> | 4-5 |
| Sec. 22 | <i>July 1, 2013</i> | 4-38c |
| Sec. 23 | <i>July 1, 2013</i> | 4a-1a |
| Sec. 24 | <i>July 1, 2013</i> | 4-256(a) |
| Sec. 25 | <i>July 1, 2013</i> | 4a-57d(a) |
| Sec. 26 | <i>July 1, 2013</i> | 4a-62(b) |
| Sec. 27 | <i>July 1, 2013</i> | 4a-100(k) and (l) |
| Sec. 28 | <i>July 1, 2013</i> | 4b-3(d) |
| Sec. 29 | <i>July 1, 2013</i> | 4b-23 |

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| Sec. 30 | July 1, 2013 | 4b-24(4) |
| Sec. 31 | July 1, 2013 | 4b-36 |
| Sec. 32 | July 1, 2013 | 4b-52 |
| Sec. 33 | July 1, 2013 | 4b-62 |
| Sec. 34 | July 1, 2013 | 4b-66a(a) |
| Sec. 35 | July 1, 2013 | 4b-76 |
| Sec. 36 | July 1, 2013 | 4b-136(a) |
| Sec. 37 | July 1, 2013 | 4d-90(a) |
| Sec. 38 | July 1, 2013 | 4e-8 |
| Sec. 39 | July 1, 2013 | 5-142(a) |
| Sec. 40 | July 1, 2013 | 10-264h |
| Sec. 41 | July 1, 2013 | 10-285b(a) |
| Sec. 42 | July 1, 2013 | 10-292 |
| Sec. 43 | July 1, 2013 | 16-50j(h) |
| Sec. 44 | July 1, 2013 | 16-50jj |
| Sec. 45 | July 1, 2013 | 22a-354i(b) |
| Sec. 46 | July 1, 2013 | 29-201 |
| Sec. 47 | July 1, 2013 | 29-232 |
| Sec. 48 | July 1, 2013 | 29-233 |
| Sec. 49 | July 1, 2013 | 29-312 |
| Sec. 50 | July 1, 2013 | 29-315a |
| Sec. 51 | July 1, 2013 | 31-57c(c) |
| Sec. 52 | July 1, 2013 | 31-390 |
| Sec. 53 | <i>from passage</i> | 3-13c |
| Sec. 54 | <i>from passage</i> | 27-138 |
| Sec. 55 | July 1, 2014 | New section |
| Sec. 56 | July 1, 2013 | 36a-42 |
| Sec. 57 | July 1, 2013 | New section |
| Sec. 58 | July 1, 2013 | 4b-1 |
| Sec. 59 | July 1, 2013 | 4b-51(a) |
| Sec. 60 | July 1, 2013 | 4b-55 |
| Sec. 61 | July 1, 2013 | 4b-56 |
| Sec. 62 | July 1, 2013 | 4b-58(a) |
| Sec. 63 | July 1, 2013 | 4b-91 |
| Sec. 64 | July 1, 2013 | 10-283b |
| Sec. 65 | July 1, 2013 | 10-283(a)(2) |
| Sec. 66 | July 1, 2013 | 10-287d |
| Sec. 67 | July 1, 2013 | 10a-6(a) |
| Sec. 68 | July 1, 2013 | 10a-72(a) |

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| Sec. 69 | July 1, 2013 | 10a-89(a) |
| Sec. 70 | July 1, 2013 | 10a-90 |
| Sec. 71 | July 1, 2013 | 10a-91(a) |
| Sec. 72 | July 1, 2013 | 10a-91c(3) |
| Sec. 73 | July 1, 2013 | 10a-91d |
| Sec. 74 | July 1, 2013 | 4-230 |
| Sec. 75 | July 1, 2013 | 5-259(i) |
| Sec. 76 | July 1, 2013 | 7-425 |
| Sec. 77 | July 1, 2013 | 10-392(b) |
| Sec. 78 | July 1, 2013 | 10-393 |
| Sec. 79 | July 1, 2013 | 10-396 |
| Sec. 80 | July 1, 2013 | 10-399(b) |
| Sec. 81 | July 1, 2013 | 12-15(b) |
| Sec. 82 | July 1, 2013 | 25-109q(b) |
| Sec. 83 | July 1, 2013 | 32-1s(d) |
| Sec. 84 | July 1, 2013 | 32-6m |
| Sec. 85 | July 1, 2013 | New section |
| Sec. 86 | July 1, 2013 | New section |
| Sec. 87 | October 1, 2013 | 10-405 |
| Sec. 88 | October 1, 2013 | 10-406 |
| Sec. 89 | October 1, 2013 | 10-408 |
| Sec. 90 | July 1, 2013 | New section |
| Sec. 91 | July 1, 2013 | 2-53m |
| Sec. 92 | July 1, 2013 | 4-67x(a) |
| Sec. 93 | July 1, 2013 | 4-67x(h) |
| Sec. 94 | July 1, 2013 | 7-127c(d) |
| Sec. 95 | July 1, 2013 | 10-16n(c) |
| Sec. 96 | July 1, 2013 | 10-16v(b) |
| Sec. 97 | July 1, 2013 | 10-16z(a) |
| Sec. 98 | July 1, 2013 | 10-76i(a) |
| Sec. 99 | July 1, 2013 | 10-222i(a) |
| Sec. 100 | July 1, 2013 | 17a-219c(a) |
| Sec. 101 | July 1, 2013 | 17b-748 |
| Sec. 102 | July 1, 2013 | 17b-751c(a) |
| Sec. 103 | July 1, 2013 | 19a-59c(b) |
| Sec. 104 | July 1, 2013 | 28-5(c) |
| Sec. 105 | July 1, 2013 | 46b-69c(c) |
| Sec. 106 | July 1, 2013 | 17b-297(d) |
| Sec. 107 | July 1, 2013 | 19a-6g(a) |

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| Sec. 108 | July 1, 2013 | 19a-6j(b) |
| Sec. 109 | July 1, 2013 | 38a-1051(a) |
| Sec. 110 | July 1, 2013 | 46a-170(b) and (c) |
| Sec. 111 | July 1, 2013 | 51-10c(a) |
| Sec. 112 | July 1, 2013 | 54-1s(b) |
| Sec. 113 | July 1, 2013 | 3-123aa(c) |
| Sec. 114 | July 1, 2013 | 16a-41b(a) |
| Sec. 115 | July 1, 2013 | 17a-450a |
| Sec. 116 | July 1, 2013 | 17a-317(f) |
| Sec. 117 | July 1, 2013 | 17b-28(b) and (c) |
| Sec. 118 | July 1, 2013 | 17b-338 |
| Sec. 119 | July 1, 2013 | 17b-367 |
| Sec. 120 | July 1, 2013 | 4-124bb |
| Sec. 121 | July 1, 2013 | 10-145a(b) |
| Sec. 122 | July 1, 2013 | 19a-112a(a) |
| Sec. 123 | July 1, 2013 | 31-3g(d) |
| Sec. 124 | July 1, 2013 | 31-3cc |
| Sec. 125 | July 1, 2013 | 46b-215a |
| Sec. 126 | July 1, 2013 | 2c-2h(g) |
| Sec. 127 | July 1, 2013 | 17a-2 |
| Sec. 128 | July 1, 2013 | 46a-68 |
| Sec. 129 | July 1, 2013 | 17a-211b |
| Sec. 130 | July 1, 2013 | 17a-450b |
| Sec. 131 | July 1, 2013 | New section |
| Sec. 132 | July 1, 2013 | 1-300(b) |
| Sec. 133 | July 1, 2013 | 1-301 |
| Sec. 134 | July 1, 2013 | 22a-11 |
| Sec. 135 | July 1, 2013 | 1-80e |
| Sec. 136 | July 1, 2013 | 1-81 |
| Sec. 137 | July 1, 2013 | 1-82 |
| Sec. 138 | July 1, 2013 | 1-82a |
| Sec. 139 | July 1, 2013 | 1-93 |
| Sec. 140 | July 1, 2013 | 1-93a |
| Sec. 141 | July 1, 2013 | 1-206(b) |
| Sec. 142 | July 1, 2013 | 4-65a |
| Sec. 143 | July 1, 2013 | 1-81(b) |
| Sec. 144 | July 1, 2013 | 1-83(a) |
| Sec. 145 | July 1, 2013 | 2-91 |
| Sec. 146 | July 1, 2013 | 3-12a |

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| Sec. 147 | July 1, 2013 | 3-119a |
| Sec. 148 | July 1, 2013 | 4-15 |
| Sec. 149 | July 1, 2013 | 4-40 |
| Sec. 150 | July 1, 2013 | 4-40a |
| Sec. 151 | July 1, 2013 | 4-61aa |
| Sec. 152 | July 1, 2013 | 4-61jj |
| Sec. 153 | July 1, 2013 | 4-70e |
| Sec. 154 | July 1, 2013 | 4a-2a |
| Sec. 155 | July 1, 2013 | 4a-2c |
| Sec. 156 | July 1, 2013 | 4a-7a |
| Sec. 157 | July 1, 2013 | 5-141b |
| Sec. 158 | July 1, 2013 | 5-141c |
| Sec. 159 | July 1, 2013 | 5-164(b) |
| Sec. 160 | July 1, 2013 | 5-175(d) |
| Sec. 161 | July 1, 2013 | 5-192l(e) |
| Sec. 162 | July 1, 2013 | 5-196 |
| Sec. 163 | July 1, 2013 | 5-180(a) and (b) |
| Sec. 164 | July 1, 2013 | 5-248a(a) |
| Sec. 165 | July 1, 2013 | 5-248a(g) |
| Sec. 166 | July 1, 2013 | 5-257(d) |
| Sec. 167 | July 1, 2013 | 45a-54(a) |
| Sec. 168 | July 1, 2013 | 5-198(10) and (11) |
| Sec. 169 | July 1, 2013 | 5-198(23) |
| Sec. 170 | July 1, 2013 | 5-199d |
| Sec. 171 | July 1, 2013 | 5-200 |
| Sec. 172 | July 1, 2013 | 5-200a |
| Sec. 173 | July 1, 2013 | 5-200b |
| Sec. 174 | July 1, 2013 | 5-200c |
| Sec. 175 | July 1, 2013 | 5-201 |
| Sec. 176 | July 1, 2013 | 5-202 |
| Sec. 177 | July 1, 2013 | 5-203 |
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| Sec. 179 | July 1, 2013 | 5-206 |
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| Sec. 183 | July 1, 2013 | 5-208a |
| Sec. 184 | July 1, 2013 | 5-209 |
| Sec. 185 | July 1, 2013 | 5-209a |

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| Sec. 186 | July 1, 2013 | 5-210 |
| Sec. 187 | July 1, 2013 | 5-213 |
| Sec. 188 | July 1, 2013 | 5-214 |
| Sec. 189 | July 1, 2013 | 5-215a |
| Sec. 190 | July 1, 2013 | 5-216 |
| Sec. 191 | July 1, 2013 | 5-217 |
| Sec. 192 | July 1, 2013 | 5-218 |
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| Sec. 194 | July 1, 2013 | 5-219a |
| Sec. 195 | July 1, 2013 | 5-220 |
| Sec. 196 | July 1, 2013 | 5-221 |
| Sec. 197 | July 1, 2013 | 5-221a |
| Sec. 198 | July 1, 2013 | 5-223 |
| Sec. 199 | July 1, 2013 | 5-225 |
| Sec. 200 | July 1, 2013 | 5-227 |
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| Sec. 204 | July 1, 2013 | 5-229 |
| Sec. 205 | July 1, 2013 | 5-230 |
| Sec. 206 | July 1, 2013 | 5-231 |
| Sec. 207 | July 1, 2013 | 5-233 |
| Sec. 208 | July 1, 2013 | 5-234 |
| Sec. 209 | July 1, 2013 | 5-235 |
| Sec. 210 | July 1, 2013 | 5-236(a) |
| Sec. 211 | July 1, 2013 | 5-237 |
| Sec. 212 | July 1, 2013 | 5-238 |
| Sec. 213 | July 1, 2013 | 5-239 |
| Sec. 214 | July 1, 2013 | 5-239a |
| Sec. 215 | July 1, 2013 | 5-240(c) |
| Sec. 216 | July 1, 2013 | 5-241(b) |
| Sec. 217 | July 1, 2013 | 5-243 |
| Sec. 218 | July 1, 2013 | 5-244 |
| Sec. 219 | July 1, 2013 | 5-245 |
| Sec. 220 | July 1, 2013 | 5-246(b) |
| Sec. 221 | July 1, 2013 | 5-247 |
| Sec. 222 | July 1, 2013 | 5-248(a) |
| Sec. 223 | July 1, 2013 | 5-248(e) and (f) |
| Sec. 224 | July 1, 2013 | 5-248b |

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| Sec. 225 | July 1, 2013 | 5-248c |
| Sec. 226 | July 1, 2013 | 5-248i |
| Sec. 227 | July 1, 2013 | 5-250(a) and (b) |
| Sec. 228 | July 1, 2013 | 5-251 |
| Sec. 229 | July 1, 2013 | 5-254(a) |
| Sec. 230 | July 1, 2013 | 5-255 |
| Sec. 231 | July 1, 2013 | 5-256 |
| Sec. 232 | July 1, 2013 | 5-265 |
| Sec. 233 | July 1, 2013 | 5-266c |
| Sec. 234 | July 1, 2013 | 5-266d |
| Sec. 235 | July 1, 2013 | 5-272(d) |
| Sec. 236 | July 1, 2013 | 10a-20 |
| Sec. 237 | July 1, 2013 | 10a-108 |
| Sec. 238 | July 1, 2013 | 12-802(e) |
| Sec. 239 | July 1, 2013 | 13a-95c(b) |
| Sec. 240 | July 1, 2013 | 15-2 |
| Sec. 241 | July 1, 2013 | 15-120mm(a) |
| Sec. 242 | July 1, 2013 | 16-2(d) |
| Sec. 243 | July 1, 2013 | 16-2a(c) and (d) |
| Sec. 244 | July 1, 2013 | 17b-650a(b) |
| Sec. 245 | July 1, 2013 | 17b-739 |
| Sec. 246 | July 1, 2013 | 18-85(a) |
| Sec. 247 | July 1, 2013 | 19a-32g(d) |
| Sec. 248 | July 1, 2013 | 19a-186a |
| Sec. 249 | July 1, 2013 | 19a-404 |
| Sec. 250 | July 1, 2013 | 19a-405 |
| Sec. 251 | July 1, 2013 | 22-81(b) |
| Sec. 252 | July 1, 2013 | 23-39 |
| Sec. 253 | July 1, 2013 | 28-6(b) |
| Sec. 254 | July 1, 2013 | 29-4(e) |
| Sec. 255 | July 1, 2013 | 31-103 |
| Sec. 256 | July 1, 2013 | 31-237c(a) |
| Sec. 257 | July 1, 2013 | 31-237e(a) |
| Sec. 258 | July 1, 2013 | 31-280(a) |
| Sec. 259 | July 1, 2013 | 32-1c(a) |
| Sec. 260 | July 1, 2013 | 46a-52(b) and (c) |
| Sec. 261 | July 1, 2013 | 46a-68a |
| Sec. 262 | July 1, 2013 | 46a-70(d) |
| Sec. 263 | July 1, 2013 | 46a-81h(d) |

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| Sec. 264 | <i>July 1, 2013</i> | 51-278(b)(2) |
| Sec. 265 | <i>July 1, 2013</i> | 51-279(a) |
| Sec. 266 | <i>July 1, 2013</i> | 52-261(a) |
| Sec. 267 | <i>July 1, 2013</i> | 54-124a(c) |
| Sec. 268 | <i>July 1, 2013</i> | 46a-82(d) |
| Sec. 269 | <i>from passage</i> | Repealer section |
| Sec. 270 | <i>from passage</i> | Repealer section |
| Sec. 271 | <i>July 1, 2013</i> | Repealer section |

Statement of Purpose:

To implement the Governor's budget recommendations.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]